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Vol 6

City of Boston. 1.

January 7th. 1828.

This being the day appointed by law for the organization of the City government. The following gentlemen together with the members of the Common Council appeared in the Hall of the Common Council, and took their seats Viz.

Hon. Josiah Quincy. Mayor.

Aldermen.

John T. Loring	James Hall
Robert Fennelly	John Pickering
James Savage	Phineas Upham, &
Thomas Kendall, Esqrs.	Samuel T. Armstrong, Esqr.

The meeting was opened with prayer by the Revd. Benjamin B. Wisner.

The Hon. Isaac Parker, Chief Justice of the Supreme Judicial Court administered the several oaths required by law to the Mayor. — Mayor sworn

The Mayor afterwards administered the like oaths to the Aldermen, and then to the members of the Common Council. — Members of City Council sworn

After which he addressed the City Council. — Mayor's address

The Mayor and Aldermen then retired to their own room.

A message in writing was received announcing — Mess. from Clk of Com. Council.

2. nouncing that the Common Council had elected John R. Adan. Esq. for their President, and Thomas Clark, Esq. Clerk.

Dis. com^es

Ordered, that the City be divided into four districts, as follows, viz.:

1st Dis. Wards No. 1, 2, & 3. Ald. Tennelly and Armstrong.
2d " " " 4, 8, & 9. " Kendall & Pickering.
3d " " " 5, 6, & 7. " Loring & Upham.
4th " " " 10, 11 & 12. " Savage & Hall.

for the purpose of attending to the several streets, lanes, alleys and public places within those districts.

Convention to elect City Clerk

Ordered, that a message in writing be sent to the Common Council, proposing a convention of the City Council, forthwith, in the Common Council Chamber, for the purpose of electing a City Clerk.

A message in writing was received from the Common Council, signifying their concurrence with the board of Aldermen to form a convention of the City Council, at the time and place, and for the purpose above mentioned.

In Convention.

City Clerk chosen

Agreeably to assignment the boards met in convention, in the Common Council chamber for the purpose of electing a City Clerk.

Mess^rs Adan, Dyer and Bacon were appointed

appointed a committee to receive; sort, and count the votes, for a City Clerk, who reported that the whole number of votes to be 51.

Necessary for a choice 26.

Samuel Foster McCleary, Esq. had 49.

and he was chosen. 3.

The oath of office was administered to him by the Mayor.

The business of the Convention being accomplished, the two boards separated.

Thomas W. Ward, Esq. member of the Common Council from Ward No. 5, attended by Wm. Gray, & the several oaths required by law were administered to him by the Mayor; after which the Gentlemen retired. Common Council man sworn

Ordered, that Aldermen Loring, Wheaton and Armstrong, be a standing Committee on the quarantine of vessels &c. Quarantine Com.ee

Ordered, that Aldermen Tennelly, Kendall and Pickering, be a standing committee on the Gaol and House of Correction. Gaol & H. of Corr.n Com.ee

Petition of Bemont Ford, to hire an old engine house at the south end, read and committed to Aldermen Savage & Hall, to consider & report. Ford Engine house

4.

Board of acc^ts H. of Correction.

The board of accounts communication and return of the Convicts confined in the House of Correction, and the nature of their employment, and the general state of the institution, and recommending sundry alterations therein. Read and committed to the committee on the Gaol and House of Correction, to consider & report.

Millord vs City.

Copy of Writ against the City which has been served on the Mayor, in favour of the town of Millord, for the support of a pauper, at the Court of Common Pleas at Worcester, on the 2^d Monday of March next. Read and referred to the City Solicitor.

Dorion

Copy of John B. Dorion's reasons of appeal from the decree of the Judge of Probate, for the County of Suffolk, in which decree, the said Dorion was adjudged to be a spendthrift, & a Guardian appointed, upon the complaint of the Mayor & Aldermen. Read & referred to the City Solicitor.

Perkins Pearl street.

Petition of Thomas H. Perkins, & others, praying, that the street leading from High street to Purchase street in the direction of Pearl street, may be widened. Read & committed to Aldermen Kendall & Vickering, to consider & report.

Time of meeting

Ordered, that the time of meetings of this board be on mondays at 4 o'Clock, P. M.

Adjourned to Monday, next, 4 o'Clock, P. M. —

At a special meeting of the Board of Aldermen on Thursday the tenth day of January A.D. 1828.

Present.

The Mayor. Aldermen Tennelly, Savage, Kendall, Hall, Upham and Armstrong.

Order of the Common Council directing that the joint rules and orders of the City Council of the last year be adopted until further order. Came up for concurrence. Read & concurred. — Rules & Orders.

Petition of John Bray & others praying that an additional story be erected on the Eliot school house so as to accommodate the Inhabitants of ward No. 1. with a ward room. Also the petition of Daniel Webster and others praying that the Inhabitants of Ward No. 10. may be provided with a permanent ward room. Read and committed in Common Council to Messrs. Bolton, Gould of Ward No. 3. and Gray with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Tennelly and Savage — Bray Ward No. 1. Eliot School House. Webster & others Ward No. 10.

Adjourned to Monday next four o'clock P.M.

At a meeting of the board of Aldermen held on Monday, the fourteenth day of January Anno Domini, 1828.

Present.

The Mayor, and the whole board of Aldermen.

Trinity Ch

Communication of the Wardens of Trinity Church, requesting information, whether in the event of the proprietors of said Church proceeding to take down their present building, for the purpose of erecting a new and a less hazardous one on its site, any part of the Church land will be required for public use, as the proprietors are of opinion that not an inch of their land can be shared, unless an equal quantity of land on the west side of the Church be purchased, and given in compensation. Read & Committed to the Mayor, Aldermen Kendall, Hall, Upham and Armstrong, to consider and report.

Knapp
Wood measurer

Petition of Henry Knapp and others, praying that an additional wood measurer be appointed, to be stationed on or near the Western Avenue. Read and committed to Aldermen Loring and Upham, to consider and report.

Palmer
Brompton Lane

J. K. Palmer's claim for damages, in consequence of removing his shop, for the purpose of widening Brompton Lane. Read & com.d to Ald. Loring & Kendall, to consider & report

Petition of George Blake, and others, praying, that a ~~committee~~ convenient street be opened in continuation from Cooper street to Salem street.
Read and committed to Alderman Kennedy, Hall, Upham and Armstrong, to consider and report.

J. Blake
New street.

Communication of Joshua Davis, relative to trespasses committed on the flats near the Neck lands. Read and committed to the Mayor and Alderman Hall, to consider and report.

Davis
Trespasses on flats

Ordered, that the Mayor, Alderman Loring and Armstrong, be a standing committee on the Fire department and Reservoirs.

Fire department & Reservoirs.

Petition of John D. Williams, & others, praying, that reservoirs may be constructed at the south part of the city, to be filled by the Aqueduct.
Read and committed to the committee on Reservoirs, to consider and report.

Williams
Reservoirs.

Letter from George W. Otis, declining to accept the office of Overseer of the poor, in Ward No. 5. Read and thereupon ordered, that a warrant be issued for a meeting of the inhabitants of said Ward, on Thursday next, one o'clock P.M. in the business of electing an Overseer, instead of said Otis. The polls to be kept open until three o'clock P.M.

Otis declines as Overseer of the poor Ward No. 5.

8.

Sweetman's license revoked

It appearing to this board that John Sweetman having obtained a license as a victualler at No. 106 Fun street, and that some other person has sold liquors at said place under said license, and that said Sweetman is not concerned in the same, but resides out of the City. Wherefore for the reasons aforesaid, ordered that the license granted to said Sweetman be and hereby is revoked.

Walsh's license revoked

It appearing to this board, that William Walsh having been licensed as a victualler at the corner of Wick street, and Theatre Alley, and that some other person has sold liquors at said place under said license, and that said Walsh is not concerned in the same, but resides out of the City. Wherefore for the reasons aforesaid, ordered, that the license granted to said Walsh be and hereby, is revoked.

Dr. Smith Res. Phy. Small Pox.

Communication of Dr. Smith, Resident Physician of Rainsford Island, stating that Wm. Tuckerman died of the confluent small pox, on Wednesday last; on the same day Messrs. Whyte, Crane & Robinson were discharged. A Person supposed to have the symptom of small pox was carried to the Island, on Thursday, re-heated vaccinations have finally been successful, He will probably escape. There are six patients in the Hospital who will soon be discharged. This afternoon George Newell, from Dorchester having the

variolid,

varioloid strongly resembling the genuine small pox was conveyed to the Island. It is believed there are no existing cases in the City or vicinity.

Read and filed.

Samuel Devens Harris, Esquire is hereby nominated and appointed Chief Engineer of the fire department the year ensuing. Sent down for concurrence. | Ch. Eng. fire department.

Came up concurred.

The board proceeded to elect and appoint Engineers of the fire department, for the year ensuing and the following gentlemen were elected and appointed accordingly, to take rank in the order in which they stand viz. Daniel C. Bacon, George Barrucott, Benjamin Darling, Horace Fox, Henry Soule, Junior, Joseph P. Emery, Mathews Melson, Eli Prouty, James Clark, Nathan Giles, Mark Weare and Benjamin F. Reed, Junior. Sent down for concurrence. | Engineers.

Came up concurred.

Ordered, that the Mayor and Aldermen Hall, with such as the Common Council may join, be a Committee on Neck lands; whose duty it shall be, to superintend said lands, and to cause such improvements and repairs to be made thereon as they may think necessary; and rent them; and in case of applica- | Neck Lands

-tion

10. tion, for the purchase of any part thereof, to fix a price & report the same to the City Council, for their approbation. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Stevens, Simonds and Gill.—

Hay weighers

Ordered, that Samuel Phillips, & John K. Bradford, be and hereby are appointed, weighers of Hay, Straw and merchandize, for the year ensuing.

Sent down for concurrence.

Came up concurred.

Haven Neck lands

Petition of J. Appleton, Haven, requesting to know upon what terms the City will sell to him one acre of the Neck lands, near Baldwin's Mill. Read & committed to the committee on Neck lands, to consider and report.

Sent down for concurrence.

Came up concurred.

Wood

Return of John K. Bradford of the number of loads of wood which he has measured during the last year viz. 249.

Ordinances

Ordered, that a copy of the City ordinances be delivered to each member of the City Council who have not already received one.

Messrs

Messrs Horace Fox, of Ward No. 1. and Norman Seaver of Ward No. 6. members of the Common Council, came up attended by Major Rubell, and they were duly qualified by taking the several oaths required by Law, before the Mayor. Common Council men qualified

Adjourned to Monday next, four o'Clock P. M.

At a meeting of the board of Aldermen, held on Monday, the twenty first day of January, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Fennelly, Savage, Hall, Upham and Armstrong.

Petition of John Clark and others, praying, that Union Street may be widened and extended through the Green Dragon stable yard. Read in Common Council and committed to Messrs Eveleth, Ward and Dyer, with such as the board of Aldermen might join, to consider & report. Came up for concurrence. Read and concurred, and the Mayor and Alderman Fennelly are joined. Clark & others Union Street

Order of the Common Council, appointing Messrs Parker (Ward 5) Gould (Ward 3) & Cunningham with such as the board of Aldermen might join, a committee Public buildings Com.

12. miller upon public buildings belonging to the City. Came up for concurrence. Read and concurred, and Aldermen Loring, Kendall and Upham are joined.

Barlow point Association

Petition of the Barlow point association praying, that a committee may be appointed with full powers to make arrangements to discharge the mortgage of the City, upon the land on which the Alms house formerly stood, so as to enable them to sell their land. Read and committed in Common Council to Messrs. S. K. Williams, Belknap and Flint, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred and Aldermen Savage and Hall are joined.

Accounts Com.ee on

Order of the Common Council appointing Messrs. Joseph Eveleth, John T. Bacon and John Belknap, a committee of accounts on its part. Came up for concurrence. The board proceeded by ballot to the choice of a committee on its part to be joined to the above and the votes being taken it appeared that Aldermen John S. Loring and Phineas Upham were chosen.

Bath concern Peolars in Market

Petition of George Bass and others, praying, that persons may be prohibited standing in and near the Market peddling articles not of their own manufacture such as hats, caps, jewelry &c. Read and committed in

Common

Common Council to Messrs Bigelow, Lane and Otis, with such as the Board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred, and Aldermen Loring and Armstrong are joined. 13.

Ordered, That Aldermen Loring, Hall and Upham be a committee on the Market. Market Com^e

Ordered, That the Mayor, Aldermen Loring and Upham be a committee on the Common, Malls and Fort Hill. Common, Malls & Com^e

Ordered, That John Hall, victualler, be notified to appear before this Board on Monday next, four o'clock, P. M. and shew cause, if any he have, why his license should not be revoked, for an alleged violation of the license law, in keeping his place of business open at unlawful hours. Hall

Ordered, That the Mayor, Aldermen Loring, Savage and Hall with such as the Common Council may join, be a committee to consider whether it be expedient to adopt any different principles than those which at present are applied to allotments of portions of the public Malls, for the accommodation of persons erecting buildings, with authority to report by way of ordinance or otherwise. Sent down for concurrence. Came up concurred, and the Allotments in Malls

Common

11. Common Council joined on its part, Messrs Gray, Means, Moody and Cornell. —

Malls & Commons Fence around.

Ordered, that the Mayor, Aldermen Loring, Altham and Armstrong, with such as the Common Council may join, be a committee to consider the expediency of making provision for a more permanent and efficient fence about the Malls and Common, by an annual appropriation for that object or otherwise. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Gibbens, Lamb, Johnson, Otis and Tufts. —

Landing place on Rowes Wharf

Ordered, that the Mayor, Aldermen Altham and Armstrong, with such as the Common Council may join, be a committee to consider and report, whether any, and what measures it may be expedient to take, relative to the City landing place near Rowe's wharf, and the avenue leading to the same. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Lowell, Cunningham, Lane, Pratt & Gill. —

Theatres licensed

Ordered, that the licenses of the several Theatres be renewed upon the same terms & conditions as the last year, viz.: on giving bonds, and paying one thousand dollars each per annum. —

Petition of Cornelius Coolidge and others, praying, that the Avenue leading from Summer street to Beacon Street, between their estates and the State House yard, may be known and called "Hancock avenue." Read, and the prayer thereof granted. Coolidge & others. Hancock avenue.

Petition of Cornelius Coolidge, & others, praying, that the Court or place west of the State House and leading into Bellingh Street may be known by the name of "Mount Vernon place." Read and committed to Aldermen Loring and Wilkins, to consider and report. Coolidge & others. Mt Vernon place.

Petition of Isaac Danforth, stating that the Cellar now occupied by him under the Hancock School house, for which he pays one hundred dollars per annum will be given up, unless he can have the same for fifty dollars. Read and committed to the committee on public buildings, to consider and report. Sent down for concurrence. Came up concurred. Danforth.

Petition of Aaron Baldwin, praying, that the City would sell to him a strip of flats, between the lot heretofore purchased by him of the City, and the empty basin of the Boston and Roxbury Mill Corporation. Read and committed to the committee on Flats, to consider and report. Sent down for concurrence. Came up concurred. Baldwin.

16.

Putnam Assessing taxes.

Petition of Jesse Putnam, & others, praying that some modification or revision may be made in the existing system of assessing and apportioning taxes in this City. Read and committed to the Common Council to Messrs. E. Williams, Simonds, Appleton, Gibbons, Dyer, Gray and Ward, with such as the board of Alder men might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Alder men Savage, Pickering, Armstrong and Upham are joined.

Resident Phy. Sale Rainsford Island

Representation of Dr. Smith, Resident Physician of Rainsford Island, giving an account of the state of the sick at said Island, and the quarantine of vessels, & praying that further accommodations may be provided in the Hospital department; and also that a wharf may be built. Read and committed to Aldermen Loring, Upham & Armstrong, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. E. Williams, Ward, Gibbons and Fox.

Burial grounds Cemeteries.

Ordered, that Aldermen Donnolly and Hall, with such as the Common Council may join, be a committee upon burial grounds and cemeteries. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Gray, Connell and Fox.

Ordered, That the subject of revising the Jury Box and Reading List of persons liable and qualified to serve as Jurors be committed to the several Distinct Committees, and that the several lists which have been received from the Common Council of the last year be referred to said Committees. 17. Jury Boxes.

John K. Bradford, William Fiske and William Mallock, be and hereby are appointed measurers of Wood and Bark for the year ensuing. Wood measurers

John F. Everett, Nathaniel Wales, and Jerry Wait, nominated and appointed Firemen of Ward No. 11. Firemen Ward No. 11.

Message from the Mayor. Mayor's message concerning Binney.

Gentlemen of the City Council,

On the 25th February, 1824, an agreement was made between Amos Binney, Esquire, and the City of Boston, for the sale of certain land at the bottom of the Common on which his rope walk then stood, by which agreement certain referees were chosen to determine its value; and in order to insure the performance of the award, the said Binney sealed a bond and placed it in the hands of the arbitrators to be delivered with the award to the City, which bond was dated the said 25th of February 1824.

It was also agreed, That the buildings and fixtures on the land

18. Binney

land should belong to W.m Binney, and should be removed by him by the first of August then next ensuing and that the arbitrators should award what rent should be paid by him, for the occupation of the premises, till the fixtures and buildings should be removed. On the 21st of May, 1824, the arbitrators made their award determining the value of said Binney's title in said land to be nine thousand dollars, and delivered the said deed to the City, which was duly recorded, and decreed that he should pay to the City fifty dollars for the use and occupation of said land up to the said first of August, computing from the said 21st of May, 1824. To this award the said Binney excepted, having refused to receive the sum of nine thousand dollars which was duly tendered by the City to said Binney, within thirty days after the making and publishing the award conformably to the tenor of said agreement and was refused by said Binney.

The said Binney afterwards tendered to the Mayor of the City ten thousand dollars, being the penalty for not abiding said award, denying that his estates in said lands passed by said deed. Henry Chapman and Isaac P. Davis were tenants under said Binney and held over after the first of August, and were notified by the Mayor of the City, by direction of the Board of Aldermen, either to quit the premises or to agree to pay rent to the City, this the said Chapman and Davis did upon the condition that the City should indemnify them against Binneys claim. This the Mayor and Aldermen agreed to do, and the amount of rent was accordingly paid over into the

City

City Treasurer by them. The object of the Board of Aldermen being to bring the pretended claim of Mr. Binney to the land, notwithstanding his deed given as above stated, to a early decision as possible. Mr. Binney having brought his action against said Chapman and Davis for the rent, and the above case being stated the Court decided that "the ground on which Binney resisted the claim of the City to hold the land in question, they could not inquire into in that action". But that Binney was entitled to recover against Chapman and Davis only on the ground of their promise made to him as their Landlord to pay the rent which the agreement between Binney & the City did not affect. Judgment was accordingly entered in his favour for the sum of Six hundred & Sixty one dollars Sixty one cents, rent, and interest and costs Sixty two dollars, and Sixty cents amounting in the whole to Six hundred, Sixty eight dollars and twenty one cents. For the indemnifying Chapman and Davis according to the agreement of the Board of Aldermen, an appropriation is required to the above amount. I do also recommend that a committee should be appointed to consider whether the interest of the City requires any further measures should be taken in relation to the refusal of Binney to receive the money tendered to him by the City, and to recover back the amount thus claimed by him by way of rent of Chapman and Davis.

Josiah Quincy, Mayor.

Read and committed in Common Council to Messrs. Gray, Bates and Bacon with such as the Board of Aldermen might join, to consider and report. Came up for con-

currence

currence. Read and concurred; and the Mayor and Alderman Pickering are joined.

Auditor

Auditors of account, monthly exhibit of the state of the appropriations.

Read and sent down.

Adjourned to Monday next four o'clock P. M.

At a meeting of the board of Aldermen, held on monday, the twenty eighth day of January, Anno Domini, 1828.

Present.

The Mayor, and the whole board of Aldermen.

Barton point Association

The committee, to whom was referred the petition of the Barton point Association, praying, that a committee may be appointed, with full powers, to make arrangements to discharge the mortgage of the City upon the land on which the Elms house formerly stood, so as to enable them to sell their land. Report, that it is reasonable to grant the prayer thereof, with such restrictions, that the security of the debt to the City from said Association shall not be diminished at any time, in proportion to the amount of said debt, from what at the commencement of said debt was designed between the parties, wherefore they recommend the adoption of the following order.

Ordered,

Ordered, that the *Mayor and Aldermen for the time being, be authorized and empowered, to discharge and release any part of the estate held by the Boston Ground Rent Association, under purchase from the City, and by said Association mortgaged to the City for security of part of the purchase money, or being satisfied that the security of the City for such debt as may at any time remain due will not be reduced below the just and reasonable security which at the beginning of the contract was designed to be given to the City by the said Association. —

Submitted by James Savage, Chairman.

Read and accepted and the order passed.

Sent down for concurrence.

Came up concurred with amendments. Read & concurred.

*Strike out "Mayor & Aldermen" & in lieu thereof insert "Committee on Reduction of City debt" Vide Ord. No. 59.

The committee on the subject of Ford Engine House.

Dennet Ford's petition, praying for a lease of the old engine house at the west end of South Boston bridge, respectfully, Report, that it will be the interest of the City to lease the said Engine House, and the land under the same, to Mr. Ford for ten years; the City to have the right to vacate the lease at their election; the City to pay the actual repairs, which shall be made by said Ford, not exceeding Fifty dollars, in case they vacate the same after the expiration of five years, from the City is to have nothing on account of repairs. It being understood, that Ford shall pay twenty dollars a year rent, during

the

22. the continuance of the lease and at that rate for a shorter term. And the committee recommend that the Mayor be authorized to execute a lease on the above terms to the said Ford. By order of the committee.

Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Surveyors of Highways.

Ordered, by the City Council, that the Mayor and Aldermen of the City of Boston, be and they hereby are appointed Surveyors of Highways of the said City, for the year ensuing. Came up for concurrence. Read and concurred.

Sullivan Mill, Creek

Petition of John Sullivan; and others, and the report of the committee thereon; made to the last City Council; in relation to covering over the Mill Creek, and making a highway over the same from Marginal street to Fleet street. Read in Common Council and committed to Messrs Eveleth, Seaver and Fox with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor and Aldermen Savage are joined.

Public lands

Order of the Common Council, commitling the report of the Committee on the sale of Public lands, providing for the sale of part of the Public lands, situated

situated west of Boylston street, and of the northerly part of Pleasant street and southerly of a line drawn parallel to the Mill dam, and thirteen hundred fifty feet distant therefrom — to Messrs E. Williams, Simonds, & Ward, with such as the board of Aldermen might join, to consider and report. Came up for concurrence.

Read and concurred, and the Mayor & Aldermen Loring are joined.

Order of the Common Council, directing that the committee who have under consideration the subject of the sale of the public lands be instructed to inquire into the expediency of disposing of, or improving the land between the County Court House on Court street, and removing the buildings thereon, and of preparing a petition to the Justices of the Court of Common Pleas, for the County of Suffolk for that purpose and that the City Clerk be directed to deliver to said committee all papers remaining on file, relative to the subject. | County lands.

Came up for concurrence.

Read and concurred.

The committee on the petition of Isaac Danforth, reported that said Danforth be allowed to occupy the cellar under the Hancock Street House, after the expiration of his present lease, at the rate of fifty dollars per annum, on condition that he agrees to remove from | Danforth's Hancock Street House.

the

21. the premises on receiving 2 weeks notice so to do. The Committee ask to be empowered to let the said Cellar on better terms, if such can be obtained.

Read and accepted. Sent down for concurrence.

Came up concurred.

Municipal Elections.

Order of the Common Council appointing Messrs. Gray, Seaver and James, with such as the board of Aldermen might join, a committee to inquire into the expediency of passing an ordinance regulating all municipal elections, with instructions to report by ordinance or otherwise. Came up for concurrence.

Read and concurred, and Aldermen Savage & Pickering (.) are joined.

Dennie's School House Ward No. 5.

Petition of Thomas Dennie, and others, Inhabitants of Ward No. 5, praying that a new School may be established, to be located in said Ward. Read and committed in Common Council to Messrs. Otis, Lowell and Gray, with such as the board of Aldermen might join, to consider and report. Came up for concurrence.

Read and concurred, and Aldermen Savage & Upham are joined.

Expenditures

Report of the committee of the last City Council, on the subject of a proposed order or resolutions on public expenditures, which shall be made sub-

— sequent

sequent to the annual order of appropriations. Read & committed to the Mayor, Aldermen Pickering & Armstrong, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Oliver, Gray, Parker (10th) and Waters.

Ordered, That locks be affixed to the Belfries of all the Churches, the Proprietors of which have applied to the same, and that they be provided by the Chief Engineer with a suitable number of keys, under the general superintendence of the Committee of the fire department. Belfries of Churches.

A Committee in behalf of the trustees of the Methodist Episcopal Church, give notice, That they have purchased a piece of land in North Bennet Street, for the purpose of erecting a Chapel; and praying, That a committee be appointed to ascertain, if the petitioners be permitted to build upon the line of the street. Read and committed to the Mayor, Aldermen Loring, Bromley and Armstrong, to consider and report. Methodist Ep: Ch. North Bennet St.

Petition of John W. Dearborn, praying, That a reservoir be built near the bottom of Chatham street, for the purpose of retaining the tide water, and that he may be permitted to use the salt water for the purpose Dearborn Reservoir

26. pose of watering the streets in warm weather: Read and committed to the committee on Reservoirs, to consider and report.

Hill Hanover st. Petition of Nathaniel Hill, offering to sell to the City, a lot of land on Hanover street, opposite the Hancock School house; if the Surveyors of Highways shall deem it necessary to take any part of the same to widen said street as he wishes to take down the present building and rebuild the same: Read and committed to Aldermen Donnelly and Armstrong, to consider and report.

Engine No. 5. Petition of Engine Company No. 5, praying for a new engine house: Read and committed to the committee on the fire department, to consider & report.

Engine No. 12. Petition of Engine company No. 12, praying, that the floor of their house under the Hancock School house may be lowered even with the ground: Read and committed to the committee on the fire department, to consider and report.

Palmer, Bromfield lane. The committee on the application of J. R. Palmer, for damages in consequence of moving a shop, occupied by him in Bromfield lane, reported;

That

That there be allowed said Palmer twenty five dollars, in full compensation of damage sustained by him in the removal of said building. Read and accepted.

Palmer

The committee on the petition of David Putnam reported, That said Putnam have leave to stand with his teams in the new street east of Faneuil Hall Market and when required to remove the same into Chatham Street, to be regulated or removed at the pleasure of this board. Read and accepted.

Putnam

On the petition of Cornelius Coolidge and others Ordered, That the court or place leading from Belknap Street towards the State house, be known and called "Mount Vernon place".

Coolidge Mount Vernon place.

James Wilson nominated and appointed a wood measurer at the Western Avenue.

Wood measurer

Ordered, That Mr. Ward be permitted to return to his store in the Market house, upon his producing to the committee on the Market a certificate from the Selectmen of Roxbury that his house and himself and family have been searched and are now free from infection of the small Pox.

Ward Small Pox

William Shattuck wood measurer returned that he measured the last year 342 loads of wood.

Shattuck

28.

Williams mortgage.

John D. Williams, Esq. having paid the amount of his note secured by mortgage on a lot of land on South Market street; said mortgage deed was dated April 1st. 1825, for fourteen thousand, four hundred dollars, payable in two years and nine months, from date, and interest, at five per cent. per annum, recorded with Suffolk deeds Lib. 298 fol. 254. Thereupon, ordered, that the Mayor be authorized to discharge the same on record.

Minot Court street.

The committee on the petition of William Minot, Esq. Reported, that it is not necessary to take any land to widen Court street, in front of his building, and that no alteration is necessary in the side walk. Read and accepted.

County accounts.

Ordered, that Aldermen Loring and Upham, be a committee on accounts against the County of Suffolk.

Sewer Montgomery pl.

Petition of Josiah Mowry, praying, that the several lamps which he has erected in Montgomery place, may be lighted at the expense of the City, Read and committed to Aldermen Loring & Upham, to consider and report.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen; held on monday the fourth day of February, Anno Domini, 1828.

Present.

The Mayor. Aldermen Kennedy, Savage, Kendall, Hall, Wham and Armstrong.

Ordered, That any member of the School committee, and of the primary School committee, shall & are hereby are authorized, at their discretion to issue certificates to any member of the Boston Medical association, to enable any Inhabitant of Boston, to enjoy the advantage of gratuitous vaccination for him or herself, or his or her child, in the form and of the import specified in the resolve of the City Council, passed the twelfth day of March, last. Vaccination.

Sent down for concurrence.

Came up concurred.

Petition of Joel Prouty, and others, praying, that Spring street, may be repaired, by paving, or otherwise: Read and committed to Aldermen Loring and Wham, to consider and report. Prouty Spring street.

Petition of the Proprietors of the City Theatre Washington Gardens, praying, that the amount of the license to said Theatre be reduced, and that in lieu thereof, that they may weekly twenty five dollars so long as said City Theatre Washington Gardens

establishment

30. establishment shall continue in operation. Read and the prayer thereof not granted.

Engine No. 1. Petition of Engine company No. 1, located in the Hancock School house, praying an enlargement of their house, by taking apart of the Ward room into the same. Read and committed to the committee on the fire department, to consider and report.

Woodford, Sea Monster. Application of James Woodford, to be licensed to exhibit the stuffed skin of a non descript Sea Monster, which was taken near Lubec, in the State of Maine. This animal is twenty eight feet long. He also wishes to hire a piece of land, belonging to the City, north of North Market Street, for the term of one month, for the purpose of erecting a temporary shed thereon, for the exhibition of the same. Read and the prayer thereof granted, so far as respects the license to exhibit, on paying therefor the sum of one dollar per week; the other part in relation to the lease of the land not granted.

Resident Phy. Smale Pox. Communication from Dr. Smith, Resident Physician at Hainsford Island, stating that George Newell, was discharged the fifteenth of January last, and the last patient was discharged yesterday, and the Island is now entirely free from the Smale Pox, or any other contagious disorder.

31.

City debt.

The standing committee on the reduction of the City debt respectfully report to the City Council, That in a former report submitted by this committee, towards the close of the last municipal year, it was stated that there was a balance in the City Treasury, standing at the credit of this committee on the first of December last, and applicable to the redemption of such portion of the City debt as might thereafter fall due amounting to fifteen thousand eight hundred twelve dollars & 10 cts. $15,812,10

Since that time, the following funds have been rec.d carried to the credit of this committee, viz.t

Received for the sale of a lot of land on Portland st.	816.–	
Received for the balance due on the sale of a Tomb in the burial ground at South Boston	100.–	
Received the principal sum of a note of hand, signed by John D. Williams, payable to the City	14,400.–	15,316,00
Making the whole amt. stand.g at the credit of the Com.e Jan.y 1. 1828		$31,128,10

Since the said first of January, the committee have caused the following portions of the City debt to be redeemed, viz.t The annual instalment of the Leverett street prison loan, at five per cent. interest $10,000–

Stock issued under an order of the City Council passed Nov. 28.th 1825, at six per cent. interest 20,000. 30,000.–

Leaving a bal. in the Treasury, at their credit Feb. 1. 1828. $1,128,10

The whole amount of the funds which have been credited to this committee during the present financial year, is $88,253,10

The whole amount of the City debt, redeemed by the Com.e is 87,125.–

1,128,10.

32. Leaving a balance of funds, at their command as above stated,
City debt. amounting to eleven hundred twenty eight dollars and ten cents.
With the funds placed at their disposal by the City Council,
this committee has thus been enabled to pay off the whole a-
mount of the City debt, which has fallen due since the first
day of May, last. The only part of the City debt which now
remains to be paid within the present financial year, which
closes on the thirtieth day of April next, is a loan which
was made under an order of the City Council, dated March
5th 1827, and which falls due on the 14th instant; amount-
ing to thirty thousand dollars, and bearing interest at four
and a half per centum per annum. To meet this pay-
ment, the committee are in possession of no other funds than
the small balance as above stated; of eleven hundred, and
twenty eight dollars and ten cents. They are therefore under
the necessity of applying to the City Council, for authority
to negociate a new loan to the amount of twenty nine
thousand dollars, in order that they may be enabled to
pay off this debt at its maturity. On the first day of
April next, certain notes held by the City against differ-
ent individuals, will fall due, to the amount of seven
thousand dollars;— which amount the committee calculate
upon to liquidate in part, the loan for which they now
ask the authority of the City Council; and which will
reduce that loan to twenty two thousand dollars; so that
of one hundred, seventeen thousand, one hundred and twenty
five dollars of the City debt falling due within the present

financial

financial years, only twenty two thousand dollars will be deferred for future payment. And if any funds should fall in from sales of City property, or from other sources available to this committee; the deferred amount will be proportionably diminished. The committee respectfully propose to the City Council, the adoption of the annexed order.

Josiah Quincy, Mayor.
John R. Adam, Pres.t of Com. Co.
John C. Gray, Chairman of the Committee of Finances.

} Committee on the reduction of the City debt.

Ordered, That the committee on the reduction of the City debt, be, and they are hereby, authorized to borrow a sum of money not exceeding twenty nine thousand dollars, at a rate of interest not exceeding five per centum per annum, and payable at such times as, in the opinion of the said committee, may be most conducive to the interest of the City; the amount borrowed under authority of this order, to be applied to the redemption of other portions of the City debt, and to no other purpose whatever. Read accepted and the order passed. Sent down for concurrence.

Came up concurred.

Petition of the heirs of Francis Foster et al. Beach Street.

Foxcroft, deceased, to be remunerated for the land taken in the City, the last year to widen Beach street. Read and committed to Aldermen Savage and Hall, to consider and report.

Watchmen

Lyman Peck, and George D. Wise, nominated and appointed Watchmen to be stationed near the Market House.

Ordinances

Ordered, that the Mayor be requested to present to the town Council of Providence, a copy of the ordinances of this City.

Auctioneer

James Wooton, Auctioneer removed to Court street, licensed accordingly.

Sargent.

South Allen st

Petition of L. M. Sargent, praying that a Lamp which he has erected in South Allen street, should be lighted at the expense of the City. Read and committed to Aldermen Loring and Upham, to consider and report.

Adjourned to Monday, next, four o'Clock P. M.

Monday February 11th 1828.

Met according to adjournm.t

Present. The whole board, except Alderman Loring.

Order of the Common Council ap- City
pointing Messrs Parker Wm O. S. Williams and Waters, Marsha.
with such as the board of Aldermen might join, a com-
mittee to enquire into the expediency of repealing or amend-
ing an ordinance passed June 18th 1823, entitled "An
ordinance authorizing the election and prescribing the
duties of City Marshal" Came up for concurrence.
Read and concurred, and Aldermen Savage & Pickering
are joined.

Order of the Common Council Boston
appointing Messrs Waters, Thomas Gould, and Ashmun Free bridge.
with such as the board of Aldermen might join, a com-
mittee to superintend the building of the Boston free bridge,
and to perform the duties described in the resolves of the
City Council on that subject. Came up for concurrence.
Read and concurred, and Aldermen Kendall and Hall
are joined.

Petition of Ezra Chamberlain Chamberlain
and others, praying for a new Engine to be located in Engine.
or near Distill house square. Read & committed to the com-
mittee on the fire department to consider & report.

Appropriations

Ordered, that there be added to certain appropriations as follows. To the appropriation for "Repairs, fuel and other contingent expenses of Schools" the sum of five hundred dollars. To the appropriation for "Repairs of public buildings" the sum of five hundred dollars. To the appropriation for the internal health department, the sum of twenty five hundred dollars. To the appropriation for the "External health department" the sum of four hundred dollars. To the appropriation for printing and stationary, the sum of four hundred dollars. And that there be withdrawn from certain appropriations as follows. From the appropriation for "Salaries of the Instructors of the Schools" the sum of One thousand dollars. From the appropriation for the "payment of interest on the City debt" the sum of twenty five hundred dollars. From the appropriation for a "Reserved fund" the sum of four hundred dollars. From the appropriation for "Salaries of all City and County officers" the sum of four hundred dollars. Came up for concurrence.

Read and concurred.

Engine House No. 8.

Order of the Common Council appointing Messrs. Simonds, Bigelow, and Lamb, with such as the board of Aldermen might join, a committee with full power, to dispose of the Engine houses, recently improved, for the use of Engine No. 8. Came up for concurrence.

Read and concurred, and the Mayor and Alderman Hall are joined.

Petition of William Croswell, formerly an instructor in one of the public Schools, praying pecuniary aid on account of severly. Read and committed in Common Council to Messrs Means, Johnson and Power with such as the Board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred, and Aldermen Kendall and Upham are joined. 37. Croswell

Communication of Levi Melcher, stating that he had sold the land on which the Engine house No 2, stands, and praying that said house may be removed from the same. Read and committed to the Committee on the fire department, to consider and report. Melcher Engine No 2

Ordered, that the committee on the fire department be instructed to consider the expediency of purchasing a piece of land for the accommodation of Engine house No 2. Engine No 2

Petition of the proprietors of the Meeting house on Salem and North Bennet street, praying that the vote of the last Board of Aldermen may be reconsidered, and that they may be allowed further damage in consequence of taking a part of their land to widen North Bennet street. Read and committed to Aldermen Tenney and Armstrong, to consider and report. Meeting house Salem & North Bennet St.

38.

Prouty & Spring St.

Petition of Joel Prouty, and others, praying, that some repairs be made to Spring Street, and also that said street be widened. Read and committed to Aldermen Loring and Upham, to consider and report.

Pitts & Morrill. South Market St.

Petition of William Pitts and James Morrill, Attorney and Agent for the minor heirs of Lindall Pitts, for remuneration for land taken into South Market Street, which they claim. Read and committed to Aldermen Kendall and Pickering, to consider and report.

Hastings Washington St.

Petition of Samuel Hastings, praying, that the Board would reconsider the vote of the Board of Aldermen, passed the last year, making him an allowance for damage in consequence of cutting off his buildings and taking his land to widen Washington Street, and that an addition of three hundred and seventy five dollars, may be made to the same. Read and committed to Aldermen Savage and Hall, to consider and report.

Tileston & Brown Street.

Petition of Tileston and Brown, and others, praying, that the street leading from Congress Street to Kilby Street, in the rear of the post office, may be repaired, and rendered more convenient for the accommodation of the Citizens passing through the same. Read and committed to Aldermen Kendall and Pickering, to consider and report.

Petition of Daniel Taylor occupant of Cellar No 1 under Faneuil Hall Market, praying that the restrictions in the lease of the same may be so modified as that he is permitted to vend West India goods in the same. Read and committed to the committee on the Market to consider and report. Taylor

The board being informed, that many Victuallers, Innholders and confectioners, have neglected to affix a board or sign in front of his or her house, shop or place of business, or in some conspicuous place near the same, with his or her name painted at large thereon, and with the particular employment for which he or she is so licensed. It is ordered, that notice is given to all those guilty of such neglect, that if such board or sign be not affixed, according to the law of the Commonwealth, within one month from this date, the penalties of the law in that respect will be inforced. Licensed houses.

Application of Daniel Gough for a license to exhibit a Live Moose at the Marlborough Hotel. Read and the prayer thereof granted, paying therefor one dollar p month. Gough & Moose

Application of Charles Nolen 2nd for a license to exhibit a Solar Microscope at Joy's buildings every fair day, until the first day of April next. Read and the prayer thereof granted. Nolen 2nd Solar Microscope

10.

Lobster stands

Ordered that the Mayor and Alderman Savage, with such as the Common Council may join, be a committee to consider the expediency of regulating the stands of Lobsters in the streets and about Faneuil Hall, and to report by ordinance or otherwise. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Otis, Lane and J. Gould.

Ch. Engineer concerning Kingsbury.

Communication from the Chief Engineer of the fire department, inclosing an account of Seth Kingsbury, a member of engine Company No. 17, of expenses incurred, and for loss of time in consequence of an injury sustained by him, while in discharge of his duty, at a fire Washington street, in December, last. Read and committed to Aldermen Kennelly and Kendall, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs Stevens, Turner and Simonds.

Annual appropriations Rule.

The committee of the City Council to whom was referred the subject of the order passed the 23d of April, last, relative to expenditures subsequent to the passing the annual order of appropriations, reported, that in their opinion the former order ought to be rescinded, and another adopted on the same subject, for which purpose they recommend the following orders for the adoption of the City Council. All which is respectfully

fully submitted by order of the Committee.

Josiah Quincy, Chairman.

Ordered, That in the present and every future financial years, after the annual order of appropriations shall have been passed; no subsequent expenditure shall be authorized for any object, unless provision for the same shall be made by specially creating therefor a sinking debt; in the latter of which cases the order shall not be passed, unless two thirds of the whole number of each branch of the City Council shall vote in the affirmative by yeas and nays.

Ordered, That the order passed on the 23d day of April, 1827, relative to expenditures authorized after the annual order of appropriations shall have been passed, be and the same is hereby repealed. Read and accepted and the order passed.

Sent down for concurrence

Came up concurred.

Ordered, That the Committee on the Market be instructed to consider the expediency of renewing leases of the several tenants of stalls in the Market House, if they shall judge it expedient to cause such leases to be executed.

Adjourned to Monday next 4 o'clock P. M.

Chief of Watch &c.

Leases of Market Stalls

Special meeting.

Saturday 2d February 16th 1828.

Present. The Mayor, and the whole board of Aldermen except Aldermen Fennelly.

Varioloid Blackstock

Representation from the Mayor, relative to the case of a son of Mr. William Blackstock, in Rutland Street, labouring under a contagious decease called the varioloid, and a communication on that subject from William Ingalls, MD. which being read and considered, thereupon Ordered, that the Mayor address a letter to the consulting Physicians, requesting their opinion in writing, whether the removal of the said boy to Hospital Island be necessary and expedient, and whether in the opinion of said Physicians the said boy can be removed. And in case the said Physicians shall so give their opinion that it is necessary and expedient to remove the said boy, and that he can be removed, that the Mayor proceed forthwith to cause the same to be done; and in case their opinion be that he cannot be removed, then that the Mayor cause such measures to be taken for the prevention of the spreading of said contagious disease as the said consulting Physicians may direct or the safety of the Inhabitants may require.

Adjourned to Monday next, four o'Clock P. M.

Monday February 18th 1828.

Met according to adjournm.t

Present. The Mayor, and the whole board of Aldermen except Alderman Loring.

Petition of James Barnard, and others, praying that Somerset street may be lowered. Read and committed to Aldermen Loring and Upham, to consider and report. | Barnard Somerset st.

The City Marshal gives notice that Enoch Bacon intends to erecting a dwelling house on Pleasant street, on the lot lately owned by Francis C. Lowell, Esq. Read and committed to Aldermen Savage and Hall to consider and report. | Bacon Pleasant st.

Notice from Barney Smith, stating that he is about removing his estate on State street and Devonshire street. Read and committed to Aldermen Kendall and Pickering, to consider and report. | Smith State & Devonshire sts.

Petition of Francis J. Oliver, praying that his house on Canal street which was lately destroyed to stop the progress of a fire may be repaired at the expense of the City. Read and committed to the Mayor and Alderman Pickering with such as the Common Council may join, to consider and report. Sent down for concurrence. | Oliver Canal st.

Aldermen. rence. Came up concurred, and the Common Council joined on its part Messrs Seaver, Moody & Bethune.

Clark. Application of William T. Spear, Captain of Engine company No. 11, in behalf of William H. Clark, a member of said company to be remunerated for the expenses and loss of time occasioned by having his leg fractured while in the execution of his duty at a fire in Washington street. Read and committed to the committee who have under consideration the petition of Seth Kingsbury, to consider and report. Sent down for concurrence.

Came up concurred.

Public Lands. Order of the Common Council instructing the committee on public lands, to consider & report what lots of land it is expedient to sell the ensuing spring.

Came up for concurrence.

Read and concurred.

Butler's Row. Ordered, that the Mayor, Aldermen Kendall and Pickering, be a committee to consider and report upon the expediency of discontinuing Butler's Row, as a public street and highway.

Goddard. Petition of Benjamin Goddard, praying that a

Washington & Front Streets. drain or common sewer may be continued thro' from Washington to Front Streets. Read & referred to the Superintendent of Streets.

Small Box
Blackstock

The Mayor reports, that in conformity with the orders of the board of Aldermen, passed on the sixteenth instant, he addressed a letter to the consulting Physicians herewith submitted marked A and received the answer and directions specified in the subjoined document marked B. all of which directions were immediately and strictly observed, and the house of William Blackstock has been insulated and the guard placed accordingly. In connection with this subject the Mayor deems it his duty to state that he has reason to believe that the nature and contagious character of the disease in this case was known to the attending Physicians, and to the family, two if not more days before it was known to the City authority to whom it was not communicated by either the attending Physicians or any member of the family, but was known only from information given by other Citizens. On inquiry the Mayor ascertains that there is in the minds of some Physicians a doubt concerning their duty in this respect it being imposed upon them as such by no known statute, to give information to the City or town authorities of the existance of such contagious disorder. The Mayor therefore suggests for the consideration of the board of Aldermen, whether it would not be expedient to endeavour to obtain a provision by Legislative authority making it the imperative duty of every attending Physician in such cases to inform forthwith the City or town authorities of the existance of such disorder, under a sufficient penalty.

Josiah Quincy.

116. Read and committed to Aldermen Savage & Kendall to consider and report.

Tileston & Brown Street near Post office

The committee on the petition of Tileston and Brown, and others, in relation to a street near the Post office, reported, That the street or way is claimed to be private property; that it is an avenue much used by the public as well as the proprietors of the adjoining estates, and that it is advisable that measures should be taken either in concurrence with those proprietors, or without such concurrence (as the case may be found to require, in the event of its being private property,) to put it into a more convenient state for the public use. Read and accepted, and referred to the Mayor.

Chamberlain New Engine

The committee on the petition of Ezra Chamberlain, and others, for a new engine, reported, That it is inexpedient for the City to build a new one. Read and accepted.

Paving

Ordered, That the several district committees report at the next meeting the estimates of the amount of paving which shall be required in their several districts.

Auctioneers

Charles Chester, and Lemuel P. Grosvenor licensed as Auctioneers.

Notice from Ebenezer Jackson that he is about building on the corner of Bath and Milk streets. Read and committed to Alderman Kendall and Pickering to consider and report.

A. J. Jackson Bath & Milk st.

The order on the petition of the Barton Point association, in relation to the discharge of their mortgage. Came up from the Common Council, with amendments. The first amendment concurred in, & the other non concurred by this board

Barton Point Association Com. of Conf. vide Jan. 28.

Ordered, That Thomas Welsh Jr., and Charles P. Curtis, Esquires, be and hereby are appointed Attorneys for the County of Suffolk, to prosecute suits at law, to recover the possession of certain land or flats appurtenant to the estate of the County in or near Leverett street.

Attorneys to prosecute suits.

The committee on the communication of the trustees of the Methodist Episcopal Church, relative to their building a new Church on North Bennet street, reported, That in the opinion of the committee it is not for the interest of the City to interfere with the lines of their building. Read and accepted.

Methodist Ch. North Bennet st.

Communication from Richard Bullock. Esq. President of the town Council of Providence; acknowledging

Providence.

18. acknowledging the receipt of a Copy of the ordinances of the City, and expressing the thanks of said Council for the same. Read and filed.

Dearborn Reservoir. The committee on the petition of John M. Dearborn for a reservoir near the bottom of Chatham Street, reported that it is inexpedient for the City to sink such reservoir. Read & accepted.

Mer. Wf Co. Second Street. (Fulton St.) Communication and vote of the Mercantile Wharf Corporation, requesting the Surveyors of highways to lay out the street, called by them Second Street, from the Mill Creek to the wharf of Robert G. Shaw, Esq. agreeably to the contract between the City and said Corporation bearing date September 10. 1824.

Read and thereupon resolved that the whole board will meet on the wharf occupied by the Agents of the Boat Stone Company, on friday next, at nine o'Clock A. M. for the purpose of viewing the land over which said proposed Street is to run, and to consider the necessity or expediency of laying out and opening the said street agreeably to the agreement aforesaid; and that notice be published in the newspapers to all persons interested to take notice and govern themselves accordingly.

Adjourned to friday next, nine o'Clock A. M.

Friday February 22d 1828. 119.

Met according to adjournment.

Present The Mayor, and the whole board of Aldermen.

The whole board met on the wharf occupied by the Agent of the Soap stone company, agreeably to the order passed at the last meeting, and notice thereof, published in the newspapers, and no person appearing to object. Thereupon resolved, That the safety and convenience of the Inhabitants require, That a new street should be laid out, agreeably to the agreement made the last year, with the Mercantile wharf corporation, and the same is laid out accordingly, in manner following viz: The westerly line of said street, beginning at a point in the northerly line of the present mill Creek, so called, at a mark on the cap of the wharf near the southwesterly corner of a two story building belonging to said Soap stone company, and running north easterly in a straight line to another mark on the cap of the wharf belonging to Benjamin Humphry, Esqr, on the southerly side of Enos street, and continuing in the same direction to the centre line of Enos street, then continuing north easterly a little more easterly and parallel with the wall now built for the foundation of buildings to be erected, fifty feet distant from the line of the westerly side of said buildings. The easterly line to run parallel to the above described westerly line, and fifty feet distant therefrom. Said street to extend from a street to be laid out northerly of the

New Street
Second St.
Fulton St.

stores

stores on North Market street to another street leading to Inn street to be laid out through land of Robert G. Shaw Esquire.

Adjourned to Monday next, four o'clock, P. M.

Monday February 25th 1828.

Met according to adjournment.

Present. The Mayor, and the whole board of Aldermen except Alderman Armstrong.

Willard Clocks

Petition of Aaron Willard, Junior, praying, that he may be engaged the present year, to take care and regulate the clocks in the Churches of Hollis, Park and Hanover streets. Read and committed to Aldermen Loring and Kendall, to consider and report.

Wood Ostriches

Application of Timothy N. Wood, for permission to erect a temporary building on the vacant land to the north of North Market street, for the purpose of exhibiting two live Ostriches, and also that he may have a license for that purpose. Read and committed to the Mayor with authority to make a bargain with the petitioner.

Francis South Margin St.

Petition of Ebenezer Francis, junior, and others, praying, that South Margin street, may be raised and

and

and made passable. Read and committed to Aldermen Kendall and Pickering to consider and report.

Butler's Row

The committee to whom was referred the subject of expediency of discontinuing Butler's Row as a street and public highway. Report, that it will be expedient for the Surveyors of Highways to discontinue Butler's Row, on receiving evidence that the owners of the estates abutting on both sides of said Row are consenting to it, and on receiving a satisfactory obligation that no building shall be erected within twenty feet of the north line of the estates now bounding northerly on a passage way, running parallel to State street, and between it and Butler's Row, whereby that passage way may be widened whenever an agreement shall be made by the proprietors abutting on the same to twenty feet; but until such agreement is made Row only to be kept open for light and air, so far as regards the rights of the City and further on condition that previous to said discontinuance a lot of land, bounding at least eighteen feet on Chatham street, and at least eighteen feet on said last mentioned passage way and containing at least eight hundred feet, shall be conveyed to the City, with a clear title and as its exclusive property. By order of the committee. Josiah Quincy, Chairman.

Read and accepted.

Governor

Lemuel P. Grosvenor Auctioneer's bond approved.

52.

Smith
Hale and
Devonshire Sts.

The committee on the notice of Barney Smith, that he is about repairing his building at the corner of Hale and Devonshire streets report, that the prayer of the petition be granted so far as to permit the petitioner to make the repairs in question, he consenting to enter into a covenant (under the advice of the City Solicitor) which shall prevent this licens from giving any title to the land over which such repairs may project, and that this license shall only continue while his present buildings shall stand.

Read and accepted.

Pitts &
Morrill
Chatham St.

The committee to whom was referred the petition of James Pitts and James Morrill, report, that the real estate mentioned in their petition consists of a lot of land with a wooden store standing thereon, which by the raising of the soil in Chatham street have been rendered untenantable, and the owners of the estate are not able to make the same tenantable, that the whole estate, taken together, is probably benefited quite as much as, or more than the value of the land taken by the City (estimated at about one hundred and thirty three feet) but, as the City would incur some expense in defending a suit, and as an actual temporary injury falls upon parties whose circumstances do not enable them well to bear it, the committee are of opinion, that, if the owners of the estate will agree to relinquish all claims against the City on account of the alleged damages upon being paid a sum not

exceeding

exceeding one hundred dollars, it is expedient to make a settlement with them upon those terms.—

Read and accepted.

The committee to whom the petition of Samuel Hastings was referred, have attended to the subject and respectfully report, that they are perfectly satisfied with the liberal principles on which the committee of last year advised compensation to Wm. Hastings for so much of his land as was taken on Washington and Fox Streets, and cannot doubt that the estate of Wm. Hastings was not reduced in value by the taking of his land to an amount any thing near the sum of twelve hundred fifty dollars, if it were reduced in any degree, and that the estate of said Hastings would at any time since the improvement of the two streets, at that corner have produced as much money on a sale as at any time before, by which it appears conclusive that remuneration for his necessary expenditure in repairs of his buildings would be sufficient in justice; but that it was reasonable to make the allowance so much larger than that expense, as was last year reported and agreed to in order to do more than justice by compensating for the land taken at a liberal price; though it was no disadvantage to the estate, wherefore they conclude that no more allowance than was last year voted should be made. James Savage, Chairman. Hastings Washington & Fox Streets.

Read and accepted.

Parker Trinity Chh.

Communication from Samuel D. Parker, Esquire, Warden of Trinity Church, inclosing a copy of a vote passed by the proprietors of said Church in relation to the rebuilding the same. Read and thereupon

Resolved, That in case the proprietors of Trinity Church shall take down their present house, the Surveyors of highways will suffer the proprietors to build on their present lines on Pawlet street, without any attempt on their part, without the consent of said proprietors to widen said Pawlet street to the westward of the present east line of said house.

Allen's license revoked.

Amos S. Allen, Junior, Innholder No. 1, Bowdoin square, having been notified to appear before this board, and shew cause, if any he have, why his license should not be revoked, for an alledged breach of the license law, in keeping in his place of business a billiard table. And now the said Allen appears, and admits that he suffered a billiard table to be used in his house.

Thereupon resolved, That the said Allen's license be and hereby is revoked.

Deer Island

Communication from the Mayor, inclosing a letter from the trustees of the Boston Marine Society, together with the draft of a memorial of the City Council to Congress, praying for an appropriation of ~~[illegible]~~ a sum of money for the protection of Deer Island;

for

for the safety of the inner harbour by the erection of a breakwater. Read and thereupon ordered, That the Mayor and the President of the Common Council, be and hereby are authorized to sign the same in behalf of the City Council. Sent down for concurrence.

Came up concurred.

Blake Cooper Salem Streets.

The committee to whom was referred the petition of George Blake; and others, to have a Street opened from Cooper street to Salem street reported; That it is inexpedient to grant the prayer of the petitioners. Read and accepted.

Jackson Bath & Webb Streets.

The committee on the notice of Ebenezer Jackson; That he is about building at the corner of Bath and Webb streets reported, That no land is necessary to be taken by the City. Read and accepted.

Paving estimates

The district committees made their several estimates of paving the ensuing year; which were read and thereupon ordered; That this board ask of the City Council an appropriation of twenty thousand dollars, for the paving of streets.

Widening Streets.

Ordered; That the board ask of the City Council an appropriation of fifteen thousand dollars for the purpose of widening streets the ensuing year.

Superintendent of burial grounds

Petition of Samuel A. Hewes, Superintendent of burial grounds, praying that the City would grant him permission to build a tomb in the South burial ground, according to a plan exhibited by him, for the burial of children, for the use of the City. Read & committed to the committee on burial grounds & cemeteries, to consider and report. Sent down for concurrence.

Came up concurred.

Firemen Ward No. 7.

William W. Appleton, Joseph Pray, Chester Daniell, William E. Weld, William A. Pritchard, Charles Bowen, Robert Hinckley, 2nd and Franklin Howard, were appointed firemen of Ward No. 7.

House offal

Ordered, that the Mayor be authorized to agree with Ebenezer Seaver, Esquire, to receive the house offal of the City, on the terms specified in his communication.

Auditor's Exhibit

The auditor of accounts made his annual exhibit as required by an ordinance which was accompanied by specific estimates of appropriation for the several departments, and the ways and means for raising the money requisite for the same. Read & sent down.

Adjourned to Monday next, four o'clock P. M.

Special meeting.

Friday February 29th 1828.

Present The Mayor. Aldermen Loring, Kendall, Upham and Armstrong.

Ordered. That there be added to the appropriation for the fire department the sum of three hundred dollars, and to the appropriation for the erection, rent and repair of Engine houses the sum of three hundred dollars; and that the sum of sixteen hundred dollars be withdrawn from the appropriation for the House of Industry. Came up for concurrence. Read and concurred. Appropriations.

The auditor of accounts annual statement containing an estimate of the amount of moneys necessary to be raised for the expenditure of the ensuing fiscal year also the estimate of ways and means. Read and committed in Common Council to the committee of Finance with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Loring, Savage, Kendall, Upham and Armstrong are joined. Auditors annual statem.t. appropriations. ways & means.

Ordered. That the old engine house No 2 on North Bennet street be sold under the direction of the Committee of the district. Engine house No 2

58.

Com: of Conf. Barlo Joint Asso.

Order of the Common Council appointing Messrs. Waters and Gray, a Committee to confer with such Committee as may be appointed on the part of the Board of Aldermen, relative to the subject matter of difference between the two boards, on the report of the Committee on the petition of the Barlo Joint Association. Came up for concurrence. Read and concurred, and the Mayor and Alderman Loring are appointed on the part of this Board.

Lease Rand Stone Store

Ordered, That the Mayor be and he is hereby authorized to sign and execute in behalf of the City, an agreement with Ebenezer Seaver, Esq. & Mr. Isaac Rand, both of Roxbury, relative to house offal to be delivered to them, for the term of three years next ensuing, they agreeing to pay for the same the sum of twenty seven hundred dollars per annum; the contract was read to the Board.

Engine House No. 2.

Order of the Common Council committing the message of the Mayor, stating that the land on which Engine house No. 2, in North Bennet street stands, has been sold, & recommending a piece of land be purchased by the City, in order to erect a new house thereon to Messrs. Bolton, T. Gould, & Otis, with such as the Board of Aldermen might join, to consider & report. Came up for concurrence. Read & con. & Aldermen Loring and Upham are joined.

Adjourned to Monday next, four o'clock, P. M.

Monday March 3d 1828.

Met according to adjournm.t

Present The Mayor and the whole board of Aldermen except Alderman Pickering.

The confrees on the part of the board of Aldermen upon the subject matter of difference of the two boards in relation to the report of the committee and the order thereon on the memorial of the Barton Point association, having had a meeting with the confrees on the part of the Common Council, having mutually agreed to report, that the Common Council should recede from their vote on the second amendment and in lieu thereof insert the following "Provided, such contract & release be approved by the whole committee & that they report to the City Council from time to time, the quantity of wood land they have so released." Read & accepted in both branches of the City Council and ordered accordingly. | B. Com: Conf. Barton Point &c. Vide min. Jan. 20 & 21.

Petition of Joseph B. Smith, who has erected Scales for weighing heavy articles, near Foster's wharf, he therefore prays, that he may be appointed a public weigher. Read and committed to Aldermen Hall and Upham to consider and report. | Smith

Ordered, that Aldermen Young and Kendall, be a committee to make agreements with persons to take | Docks

60. take charge of the public clocks, in the manner they may deem expedient, not exceeding the sums paid therefor the last years.

Ancient Records. Ordered, That the Mayor & Alderman Savage be a committee to carry into effect the report of the committee of the last board of Aldermen on the representation of the Register of deeds, relative to the state of the ancient records in his office.

Amory. Order of the Common Council appointing Messrs S. K. Williams, Waters, and James, with such as the board of Aldermen might join, to take into consideration and report upon the Letter of Jonathan Amory, and others, in relation to the old barracado: came up for concurrence: Read and concurred, and the Mayor & Alderman Fennelly are joined.

Foxcroft Beach street. The committee, who were directed to consider and report what compensation should be allowed for the land, four hundred and eighty four square feet, taken to widen Beach street, of the estate of heirs of Francis A. Foxcroft, have duly deliberated on the subject, and report, that the estate of said heirs, as it is at present enjoyed, is, in their opinion, not reduced in value by the taking of part thereof, in November last, one hundred and forty two feet in length on Beach street, and one foot, six inches in depth at

at the easterly end, and seven feet four inches in depth at the westerly end on Washington street, because the income of said estate would not be reduced nor would the estate now sell for any less sum than than it would have bought before the taking, as no use could have been made of the vacant land thus taken without stopping up the lights on the northern side of the present building; but inasmuch as the whole estate, if the present building were removed, might by the owners be built upon anew with a different arrangement of the edifice, your committee have thought it just to consider that said land is to be compensated for on these principles valuing one hundred and forty feet nearest Washington street at two dollars per square foot, and the remaining three hundred and forty four feet, at seventy five cents per square foot makes six hundred and thirty eight dollars, as the utmost value of said land, from which deducting the accompanying bill of repairs & improvement on said estate, amounting to eighty nine dollars, forty nine cents, paid by the City, the sum of four hundred and forty eight dollars, fifty one cents remains, which the committee recommend to be paid to said heirs in full satisfaction for said taking.

Jas. Savage, Chairman.

Read and accepted.

Thos Loring gives notice that he is about building on Brighton street Read & committed to Aldermen Loring and Upham, to consider & report.

Loring

Brighton st

Lobster Stands

The committee on the subject of Stands for Lobsters, reported "An ordinance for the regulation of the Sale of fish, within certain streets and squares" which being read shaped. Sent down for concurrence. Came up concurred with amendments. Read & concurred.

Bell Tomb.

Petition of Edward Bell, for leave to alter the location of the tomb which he was authorized to build the last year, he also wishes to purchase the vacant lot which will be occasioned by such alteration; for the purpose of building another tomb; for which he also offers twenty dollars. Read and committed to Aldermen Connelly and Armstrong, with full power to alter the location as therein specified, if they deem it proper, and report to this board with respect to building the additional tomb.

Common Council member resigned.

A message in writing was received from the Common Council, stating, that Waldo Flint Esq. a member of that board from Ward No. 1. had resigned; and requesting that a warrant be issued for a new choice. Read and thereupon ordered, that a warrant be issued for a new choice on the first monday of April next.

Wood

The Mayor reports, that he has made a bargain with Timothy T. Wood, for the use of land near the Market for the exhibition of two five ostriches, that he pay to the Clerk of the Market, two dollars a week therefor.

Lands to be sold.

The committee of the City Council on the subject of the public lands, and who were directed to report what lands it would be expedient to sell the ensuing Spring, respectfully report in part, That in their opinion it will be expedient to sell the following pieces the ensuing Spring, viz: 1st a piece of land lying on the north side of South Bridge street with the flats lying opposite the easterly line thereof - Plan - which land divided so far as regards the upland into three lots marked A is herewith submitted. The flats it will be probably deemed expedient to sell separately. 2nd Eleven lots of land lying to the northward of the north block of stores on North Market street and between Inn and Ann street and the Mill Creek. Three of these lots bounded northerly on Ann street, one on Ann street and a new forty feet street laid out under the sanction of the City Council, in the rear of the said north block of stores on North Market street, the remaining seven bound in front on the last mentioned forty feet street. The relations of these lots will be understood by reference to a plan marked B, herewith submitted. Concerning the expediency of selling forthwith the four first mentioned lots, viz: those whose fronts bound, in whole, or in part on Ann street the opinions were unanimously in favor of such sale. Some question has arisen, whether it might not be expedient to postpone selling the residue of these lots, until the question concerning filling up the Mill Creek was finally decided, but upon the whole your committee were of opinion that the

64. The City Council might safely trust that decision of the question of making, or postponing the sale of those lots to the Committee appointed to make such sales. They recommend therefore, that the authority to sell the whole at their discretion, should be given to such committee

Temple street 3d. A lot of land in Temple street, in the rear and adjoining the Bowdoin School house, a plan of which marked C is herewith submitted. Over this piece of land, your committee have been informed that Samuel Hubbard, Esq. as Guardian to Thomas Hancock, claims a right of passage. They are therefore of opinion that the authority to make sale of this piece of land should be given under the restriction that the nature of this claim should previously be satisfactorily investigated, and if found valid, that the sale should be postponed until it be settled. 4th. A lot of land on Common street, on which the old Franklin School house is situated; a plan of which is also herewith submitted marked D. 5th. A piece of land situated west

Boylston & Pleasant streets of Boylston street, and of the northerly part of Pleasant street and southerly of a line drawn parallel to the Mill dam thirteen hundred and fifty feet distant therefrom as per plan marked E. This piece of land contains one hundred and twenty six thousand square feet, and is capable of being laid out into streets and lots advantageously, and although after it is thus laid out, it may not be expedient to offer the whole for sale immediately, yet it is expedient in the opinion of this committee to lay the same out,

and

and commence sales of it under the direction of a committee. It may be proper here to observe that the space proposed thus to be laid in a state for sale does not interfere with the Common, but is that portion of the public lands, which have always been deemed proper and within the power of the City Council to sell, as not lying within the North and South lines of the Common extended. Your committee therefore recommend, that a committee be appointed with full authority to cause each of the pieces of land above mentioned to be laid out, and sold entire or in part, at their discretion at public auction and on such terms of payment as they may deem expedient, and that the Mayor be authorized to execute such deeds as the said committee may direct; subject to the restrictions specified in this report. All which is submitted by order of the Com.ee Josiah Quincy, Chairman.

Read and accepted, and thereupon ordered, that the Mayor, Aldermen Young, Upham and Armstrong, with such as the Common Council may join, be a committee to carry the same into effect. Sent down for concurrence. Came up concurred, and Wm. E. Williams, Simonds, E. Gould, Bellknap and Appleton were joined on the part of the Common Council.

Clark

The committee to whom was referred the memorial of John Clark, and a great number of Citizens praying, that the street leading from Hanover street by

Green Dragon Lane

the

66. Clark — Green Dragon lane

the Green Dragon tavern to Charlestown street, might be widened; respectfully report, that the subject of widening that passage way has been for those many years in contemplation by the authorities of the town and City; that with a view to this object it is understood, that a small estate now owned by the City was formerly purchased by the Selectmen, and that it is one of the most obvious and necessary improvements of which that, and perhaps of which any quarter of the City is susceptible. The City owns in addition to the small estate above mentioned, several large lots of land in that vicinity, which would be greatly benefited by such a street; and on every account it seems desireable that the improvement should be made. The great obstacle to the carrying it into effect has been the great price at which some of the proprietors of the land held their estates, and the unwillingness of the City authorities to take their land unless by some previous agreement. Your committee have endeavoured to ascertain the price at which those estates could be purchased and find that the average of two dollars a square foot, is the lowest at which the proprietors would assent to sell their respective estates, which would amount to a sum far beyond what your committee think them worth or which they could recommend to the City Council to give. Under these circumstances your committee see no other course than that the City Council should recommend to the Surveyors of highways, to widen the street as much as they may deem necessary and leave the proprietors to the remedy which the law

in

in such cases provides. Your committee are of opinion it 67.
would be desireable considering this street as being the natural Clark
extension of Washington street to Charles river bridge; by the Green Dragon Lane
means of Union street, that the widening of the Green Dragon
Lane should be to an extent so as to make it fifty feet, but
they apprehend that it will be sufficient at present to take
off only so much on the west side as shall make the
said lane forty feet wide leaving a subsequent widening to be
effected at some future time or when the buildings on the
east side shall be taken down. They find that such widening
so as to make the Green Dragon Lane forty feet will cut off
from all the estates belonging to other proprietors than the City,
seven thousand three hundred and three feet, the value of which
land is cut off your committee apprehend no jury would
estimate at more than seven thousand dollars, considering the
great advantages which would result to the estates from such
widening, some additional damages might result from the
houses which it might be necessary to remove; but these last
mentioned damages and any excess above seven thousand dollars
would not probably exceed a sum which the proprietors of
estates in that vicinity might be induced to subscribe, in
case the City should sanction the widening proposed, so that
your committee apprehend that seven thousand dollars may
be considered the extent of the probable expense to the City.
Your committee therefore recommend that the City Council
should express their opinions that it will be expedient for the
Overseers of highways to widen Green Dragon Lane whenever the

interest

interested in that vicinity should come in aid of that object with such a subscription as the Mayor and Aldermen shall deem will save the City harmless from all damages beyond seven thousand dollars. All which is respectfully submitted by order of the committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

(2/3) Nonconcurred, in Common Council. Vide proceedings of meeting March 24th Page 85.

Mill Creek

The committee to whom was referred the report and proceedings of the committee of the last City Council on the subject of covering over the Mill Creek, respectfully report, that having considered the report of the former committee on this subject, they recommend its adoption with this addition, that the committee to be appointed as proposed by that report, to carry its recommendation into effect, shall not be restricted to the mode proposed in that report of doing it by a "wharf bridge"; but that they be authorized to fill the creek up solid with earth, leaving a common sewer of timber not less than four feet wide & five feet high; provided, in their opinion after investigation, they shall find that the cost of thus filling up the Creek, & making such a sewer shall not materially exceed the cost of the said wharf bridge; or in case such excess shall not be greater than the difference between the permanency of the material and mode, in their judgment compensate. All which is respectfully submitted. By order of the committee

Josiah Quincy, Chairman

Read and accepted, and thereupon ordered, that the Mayor, Aldermen Donnelly and Savage, with such as the Common Council may join, be a committee to carry the foregoing Report into effect. Sent down for concurrence.

Nonconcurred in Common Council. Vide proceedings of Meeting March 24th Page 85.

Otis Pinkney Charles Streets.

Hervey Otis gives notice that he is about building at the corner of Pinkney and Charles Streets, and praying that a Surveyor may be employed to mark the bounds of the Streets. Read and committed to Aldermen Loring and Upham to consider and report.

New England Co Tables

Petition of a committee of the New England Society for the promotion of manufactures and the Mechanic arts, praying the loan of the tables belonging to the City, to be used at their next sale. Read and the prayer thereof granted upon condition that said tables be returned in like good order as when received.

Adjourned to Monday next, four o'Clock P. M.

Monday March 10th 1828.

The board of Aldermen met according to adjournment. Present. The Mayor, and the whole board of Aldermen except Alderman Pickering.

Auditor of acc.ts
Land sold.

Communication of the Auditor of accounts, inclosing a statement of the number of lots of land sold by the City (exclusive of the sales made by the committee for the extension of Faneuil Hall Market) within the last four years, with the amount each lot sold for and the persons to whom sold. Read and committed in Common Council to the committee on Neck lands, to consider and report.

Came up for concurrence.
Read & concurred.

Taylor
Faneuil Hall Market cellars.

Petition of Daniel Taylor & others, occupants of Cellars under Faneuil Hall Market House, for a reduction of their rents. Read and committed to the committee on Faneuil Hall Market, to consider and report.

Davis
Loring
Somerset Street.

Petition of Daniel Davis, & others, praying that the southerly end of Somerset street may be reduced, so as to make it more convenient than it now is for the hoisting of carriages. Also the remonstrance of Caleb Loring, and others against the same. Read and committed to Alderman Loring and Upham, to consider and report.

Petition of Levi Melcher, and 51.
others stating, that the common sewer in Hanover street, Melcher
between Steel street and Minnesmell ferry is out of repair, Hanover st
Wherefore they pray, that the same may be taken up and
rebuild and the expense thereof assessed upon those whose
estates shall be benefitted thereby. Read and thereupon
ordered; that all persons interested be notified to appear be-
fore this board on monday next, four o'clock P. M. to
shew cause, if any they have, why the prayer of said
petition should not be granted.

Petition of Thomas Holland, stating, Holland
that obstructions have been placed in Harvard street, east Hanover st
from Front street, by Daniel Taylor, Esq. owner of land on
the southerly side and praying, that said Harvard street
may be filled up at the end thereof so as to be con-
venient for a Cart way. Read and committed to the
Mayor, Aldermen Savage and Hale; to consider thereof.

Petition of Ward Jackson, & others, Jackson
proprietors of estates bounding on Pine street, praying, that Pine st.
said street may be widened, between Bloss and Bridge
streets. Read and committed to Aldermen Loring & Upham
to consider and report.

Communication from the Directors of House Industry
the House of Industry praying, that a fire engine may be 51.
placed

192. placed on or near their establishment at South Boston.

Read and committed to the committee on the fire department to consider and report.

New street laid out. Clinton St.

Resolved, That the safety and convenience of the Inhabitants of the City, require, that a new street may be laid out, and the same is laid out accordingly, viz: Beginning at Merchants Row, at the northwesterly corner of the block of stores on North Market street, and running easterly by the northerly side of said block of stores until it comes to the easterly line of the street, fifty feet wide laid out on the twenty second day of February, last; thence running northeasterly on said easterly line until it comes to a point forty feet distant at right angles from said northerly side of said block of stores; thence running westerly parallel to said stores and forty feet distant therefrom to Merchants Row, forty feet to the place of beginning.

Sue's license revoked

Peter Sue, Innholder, on Pond Street, having been notified to appear before this board, at this time, and show cause, if any he had, why his said license should not be revoked, for a breach of the license law, in keeping a disorderly house and keeping therein implements of gambling. And now said Sue files an answer to said allegations, denying the same, & after hearing the evidence, & full examination of the subject, the board are of opinion that the allegations are true. It is thereupon ordered, that the said Sue's licence be & hereby is revoked.

The committee report, that so much of the land of Jacob Bacon, referred to, in the communication of the City Marshal shall be taken as a continuation with the line of land taken from Edward Shaw, March, 1825, as appears by Mayor and Aldermen's records Vol. 3. ha. on said Street would require and that on his execution of a deed to the City of the same land thus required to be taken, said Bacon should be allowed seventy five cents for each square foot, and if he will not give a deed of said land to the City, the Surveyors of highways should take the same, by virtue of the general laws of the Commonwealth. Jas. Savage, Chairman

Read and accepted, and ordered accordingly.

93. Bacon Pleasant St.

The committee on the petition of Edward Bell, praying, for an alteration of the location of tombs, which he is about building in the North burying place; reported, That they have allowed him to alter the location agreeable to the prayer of his petition and that he have liberty to erect an additional tomb, he paying therefor, the sum of twenty dollars. Read and accepted and that the Mayor be authorized to execute a deed accordingly.

Bell Tombs

Ordered, That the fish box at Winnisemett ferry be let to Samuel Dilaway for one year from the termination of the last year for twenty dollars, being the same amount that he paid the last year.

Dilaway Fish box

711.

Assessors list of persons taxed.

The assessors laid before the board a list of persons, copartnerships and corporations, who were taxed in this City, the preceding year to the amount of twenty five dollars or upwards, specifying the amount of each persons, copartnerships or Corporations tax on personal & real estate severally conformably to the order of the City Council, passed December 6. 1827. Read and thereupon ordered, That one hundred copies be printed for the use of the members of the City Council, the assessors and assistant assessors.

Abatement of Taxes

An account of the abatements made by the assessors, the last year, laid before the table by the assessors.

Smith Hay Scales

The committee on Joseph B. Smith's petition to erect scales for the purpose of weighing of merchandize; Report, that in their opinion, according to existing ordinances his petition should not be granted, yet they think the establishment of public scales for the purpose of weighing merchandize, if placed in a central situation of business would promote the object of the petitioner, accommodate merchants, and not improperly interfere with the present public scales which seem to be placed so as to exclusively to weigh hay and other articles from the Country. They recommend the subject to the consideration of the board.

James Hall, per order.

Read, & thereupon ordered, That the prayer of said petition be not granted.

The City Solicitor gave an opinion 75.
in writing in relation to Greenough lane. Read. Whereupon Wentworth
ordered, that no further proceedings be had in relation to Greenough lane.
the petition of Philip Wentworth, who claims a part of the
land in said lane.

Thomas Haviland, Slade Luther, Joshua Firemen
R. Stanford, William Darling, Allen Willard, Joshua Sprague, Ward No 6.
Joseph Schofield, David M. Bailey, and John Colby, were
nominated and appointed firemen Ward No 6.

John Johnson was nominated and Chimney Sweep.
appointed a Chimney Sweeper.

Copy of a summons, the Inhabitants Middleboro'
of Middleborough against the City of Boston, to appear at
the Court of Common Pleas, to be held at Plymouth, on
the second Monday of April next, for the support of
certain laintiers. Read and referred to the City Solicitor to
instruct Counsel to attend to the same before said Court.

Adjourned to monday next, four o'clock.

A. M.

At a meeting of the board of Aldermen, on Monday, the seventeenth day of March, Anno Domini, 1828.

Present.

The Mayor, and the whole board of Aldermen, except Alderman Pickering.

Mer. Wh. Corp. Bridges over Mill Creek

Communication of the Directors of the Mercantile Wharf Corporation, inclosing a vote of said Directors, requesting the Mayor and Aldermen to erect bridges over the Mill Creek, connecting Marginal street with the street sixty five feet wide leading to Long wharf; and also to connect Second street with the street of forty feet wide running from Merchants Row to said Marginal street, agreeably to the contract between the City and said Corporation bearing date the tenth day of September 1827, Read and committed to the Mayor & Alderman Tenney, to consider and report.

Sheldon Washington St.

Petition of Nicholas Sheldon, to be compensated for his damage in taking down the store occupied by him, in the year 1826, next the Marlboro' Hotel, on Washington street, Read and committed to Aldermen Loring and Savage, to consider and report.

Funeral undertaker appointed.

Henry Davis, Sexton of the Second Church, in which the Rev.d W.m Ware officiates, nominated & appointed a funeral undertaker.

The committee to whom was 77.

referred the several petitions of James Barnard and others, & Barnard
of Daniel Davis and others, praying this board to cause the Davis
western part of Somerset Street to be lowered, in order to, Somerset St.
render the passage over the same more easy and to pre-
vent the future occurrence of accidents similar to the
many which have happened by reason of its steepness, &
also the remonstrance of Caleb Loring and others against
the same respectfully report. That they have carefully ex-
amined that part of Somerset Street referred to by the peti-
tioners as well in relation to the improvement of said
street as to the injury that will be done to the estates
of the remonstrants should the proposed alteration be made.
In order to obtain any valuable improvement of this street
it will be necessary to reduce the summit of it at least
two feet; the effect of this reduction will be, to sink
the level of the street so far below the foundations of
the houses, situated upon and near to this part of it, that
the proprietors will be compelled to take down some of
them, and make in others such alterations to conform to
the proposed level of the street, as will subject them
to very heavy expenses and ultimately render their houses
much less convenient and valuable; than they now are.
Somerset Street is not more, and probably never can be
a thorough fare for carriages of any kind, because Com-
mon and Temple Streets already afford a more easy &
direct communication between the northern & southern

sections

78. sections of the City, than this street can ever be made. There are only four of the Inhabitants of the street who have joined in the petition, and the oldest residents there have never heard of a single accident of the nature referred to in the petition. Your committee are therefore decidedly of opinion that the prayer of the petitioners ought not to be granted. For the committee.

H. F. Loring

Read & accepted.

Grosvenor Bennet St.

The committee to whom was referred the petition of Lemuel P. Grosvenor, in behalf of the Proprietors of the meeting house at the corner of Salem & Bennet streets, for compensation for land taken to widen Bennet street, report, that the sum of one hundred and sixty six dollars and sixty six cents be allowed for the two hundred and sixty eight feet of land taken, and the sum of sixty dollars for expense paid by the Proprietors in consequence of removing a part of the foundation after it was laid; making in all the sum of two hundred and twenty six dollars and sixty six cents, to be in full for damages for land taken and expense of removing foundation. Robert Fennelly, Chairman.

Read and accepted.

Chimney Sweeper

Thomas Johnson, licensed as a Chimney sweeper.

The committee on the subject of the Mayor's report, in relation to Small Pox, reported that at the last session of the General Court, an act was passed, by which Physicians are held in the same manner as House holders, to give information to the municipal authorities of the occurrence of any case of small pox or varioloid.

Physicians
Small pox

Read and accepted.

It appearing to this board, that notice has been given, agreeably to the order passed at the last meeting, on the petition of Levi Melcher, and others, praying, that the common sewer in Hanover street, between Fleet street and Winnisemett ferry, may be taken up and relaid & the expense thereof apeped according to law, upon those who shall be benefitted thereby. And now several persons appeared to assist and after a full hearing, it is thereupon ordered, that said common sewer be retained agreeably to said petition.

Melcher
Hanover St.

Petition of David Pulsam, & others, praying, that the common sewer in Second street may be laid, and the expense thereof apeped upon those whose estates shall be benefitted thereby. Read and thereupon ordered, that all persons interested be notified to appear before this board, on Monday next, four o'clock P.M. and shew cause, if any they have, why the prayer thereof should not be granted.

Pulsam
Second Street.

The committee on the petition of Ebenezer Francis, Junior, and others, for repairs of South Margin

E. Francis
South Margin St

Street, reported, That the State of the said street is as mentioned in said petition, and if the street is a public way, it ought to be repaired by the City as soon as may be.
Read and accepted, and referred to the Superintendent of Streets to carry it into effect.

Superintendent Streets.

The board proceeded by ballot to the choice of Superintendent of Streets, and the votes being taken, it appeared that Enoch Patterson, was unanimously chosen.
Sent down for concurrence.
Came up concurred.

Consulting Physicians

Communication from the consulting Physicians, suggesting the propriety of having a Hospital erected within the limits of the City, for the accommodation of persons who may be infected with the small pox or varioloid; stating, as their opinion the practice of removing patients to Rainsford Island in the winter season is attended with danger: Read and committed to Aldermen Savage and Hall and Armstrong, with such as the Common Council may join, to consider and report. Sent down for concurrence: Came up concurred and the Common Council joined on its part Messrs Rupell, E. Williams, Cary and Bethune.

Bass

The committee on the petition of George Bass, and others, occupants of stores in the vicinity of

Faneuil

Faneuil Hall market; praying, That certain persons who have 81.
been permitted to stand in and about the market and are Feb 5
employed in selling articles of merchandize similar in kind
to those kept for sale by themselves may no longer be al-
lowed this privilege; and complaining of Pedlars who fre-
quent the public streets and squares of the City, reported
report, That on inquiry of the Clerk of the Market it
appears that there are only three persons who are allow-
ed to stand within the limits of the market or upon land
under his care who are not strictly venders of provisions,
two of them are employed to sell second hand hats & caps
and the third is a dealer in Books, pamphlets and other
small wares. Each of these persons regularly pays to the Clerk
of the Market one dollar a week for the privilege of a
stand, and by this petty traffick are enabled honestly to main-
tain themselves and families. As these persons have always con-
ducted themselves in a peaceable and orderly manner and by
occupying particular situations in the market rather prev-
ent nuisances than create them; it seems to your committee
not to consent with your policy to grant the prayer of the
Petitioners. With regard to the evils arising from the practice
of pedling which the Petitioners say is "allowed and suffered"
in the public streets and squares of the City, it is believed
that the existing laws of the Commonwealth afford reme-
dies, and redress can be had to them without the interfe-
rence of the City authorities. Your committee recommend
therefore, that the Petitioners have leave to withdraw their

Petition

82. Petition. For the committee. Wm. F. Loring.
Read and accepted. Sent down for concurrence.
Came up concurred.

Higginson
Sumner St.

Petition of Stephen Higginson, praying compensation for injury sustained by him in consequence of the lowering of Sumner street. Read and committed to Aldermen Loring, Savage and Pickering, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Gray, Moody, Simonds and Means.

Fullerton
South Market Street.

Petition of J. Fullerton, and others, owners and occupants of stores in South Market street, praying for a revision of the by-laws respecting laying goods on the side walk of said street, and that they may have leave to put goods and merchandize on the side walk, to suit their convenience, provided that in all cases there shall be at least six feet of said ~~street~~ side walk kept free & clear of all incumbrances. Read and committed to Aldermen Loring, Hall and Armstrong, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Bellow, Lincoln, Johnson and Parker of Ward No. 10.

The committee to whom was referred the petition of William Croswell report, that in their opinion the City Council have no authority to make any appropriation of money to any individual in the circumstances of the Petition; therefore they report that the Petitioner have leave to withdraw his petition.

Croswell.

Read and accepted. Sent down for concurrence.

Came up concurred.

Copy of a vote of the Directors of the Boylston Market association praying to have the ordinance now pending before the City Council "for the regulation of the sale of fish in certain streets and squares" so far amended as to include in the proposed regulation that part of Washington street extending from Hayward place to Kneeland street, and the streets and avenues leading into the same from either side. Read and the prayer thereof granted.

Boylston Market.

Sent down for concurrence.

Came up concurred.

The committee to whom was referred a communication from the Mayor relating to the purchase of a piece of land at the corner of Allen and Chelsea streets for an Engine house, respectfully report, That on enquiry they find the land referred to in the Mayor's communication incumbered with restrictions that render it unfit for the purpose for which it is

Engine house land.

wanted

wanted. But another lot has been offered to your committee as well situated, wholly free from incumbrances, & for less money; it has a front on Salem street of twenty seven feet ten inches, contains twenty four hundred and seven square feet, and can be purchased for eighteen hundred and five dollars and twenty five cents. All the land that will be required for the engine house is a piece eighteen feet by thirty; the residue may be sold or applied to any other use by the City. The committee have already an offer in writing of eight hundred dollars for the remainder; but it is believed to be worth a greater sum. Your committee are of opinion that a more eligible situation cannot be had for the permanent location of an Engine house, nor on better terms; they therefore respectfully recommend that the Mayor be authorized to purchase for the use of the City, all that lot of land designated by blue lines upon the plan herewith transmitted and marked with the letter C, provided, the same can be had for a sum not exceeding eighteen hundred and six dollars. Per Jr. Loring, for the committee.

Read and accepted, and thereupon ordered, that the com.ee on the sale of public lands be authorized to make sale of either by public or private sale of such part of said land as may not be wanted for the use of the engine house: Sent down for concurrence. Nonconcurred in Common Council.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen held on Monday the twenty fourth day of March Anno Dominii 1828. Present.

The Mayor and the whole board of Aldermen.

Order of the Common Comcil appointing Messrs. E. Williams, Mis. Bigelow, Seaver and Prall, with such as the board of Aldermen might join, a committee to consider and report on the subject of widening the lane near the Green Dragon tavern so called. Also, on the subject of covering or filling up the whole or any part of the Mill Creek. Came up for concurrence. Read and concurred, & the Mayor, Aldermen Tennille, Savage & Kendall. Green Dragon Lane. Mill Creek

Order of the Common Comcil appointing Messrs. Bakes, Rufell and Ward, with such as the board of Aldermen might join, a committee to consider and report on the propriety of making to the Resident Physician an allowance for extraordinary services rendered the City the two past years. Came up for concurrence. Read & concurred, and Aldermen Loring, Atkins and Armstrong are joined. Resident Physician.

Order of the Common Comcil appropriations. directing that there be added to certain appropriations as follows to the appropriation for the board of Overseers of the poor, the sum of five hundred dollars; to the appropriation for the board of Directors of the house for the employment & reformation

86. reformation of Juvenile offenders, the sum of five hundred dollars And that there be withdrawn from the appropriation for the Directors of the House of Industry, the sum of one thousand dollars.

Came up for concurrence

Read and concurred.

Tallman Purchase St.

Petition of Peleg Tallman, and others, praying, That a common sewer may be laid in Purchase street, and the expense thereof assessed according to law, upon those who shall be benefitted thereby. Read and thereupon ordered, That all persons interested be notified to appear before this Board on Monday next, four o'clock, P. M. and shew cause; if any they have; why the prayer thereof should not be granted. —

Avenue from Court Street.

Ordered, that the Mayor & Alderman Savage, be a committee to take into consideration and report upon the order of the board of Aldermen passed August 14th 1826, authorizing a committee to agree with the owners of the adjoining land easterly of the old Court house to lay out a passage way leading from Court street southerly. And the agreement of said committee with said owners, and the laying out said passage way twenty five feet wide, according to a plan drawn by J. P. Fuller, Surveyor.

Turnpike Corp.

John C. Furness, Esquire's surrender of lease of County house, on Court street. Read & committed to the Mayor & Alderman Loring to consider and report.

Ordered, that the sum of fifty dollars, be offered as a reward to any person who shall discover and prosecute to conviction, the person or persons who recently broke down, and otherwise injured sundry trees on that part of Washington street, called the Neck, and that hand bills be printed and posted up offering such reward. | Trees injured reward offered.

Ordered, that the Mayor be authorized to sign a lease made between Jacob Chamberlain and the City, whereby said Jacob doth lease to the City, a piece of land on Chardon and Hawkins streets, for the purpose of building an Engine house thereon, for the term of six years, for the yearly rent of seventy five dollars, to be paid quarterly. | Chamberlain Lease of land for Engine house

The committee to whom was referred the petition of Seth Kingsbury, and also the petition of William H. Clark, members of the fire department claiming compensation for injuries sustained by them while in the discharge of their duty at the fire at the south end, in December last, recommend that there be paid to said Seth Kingsbury, the sum of ninety dollars, and to said William Clark, the sum of eighty dollars in full compensation for the injuries which the committee were satisfied were sustained as them and that the said several sums be charged to the fire department

Respectfully submitted. Robert Kennelly. Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Kingsbury Clark

88.

Putnam & Second street.

Petition of David Putnam, and others, praying, that the common sewer may be continued thro' Second street. Read and committed to the Mayor, Aldermen Loring and Upham, to consider and report.

Ward meetings.

Ordered, that warrants be issued for the meeting of the Citizens in their respective wards, on the first monday of April, next. eleven o'Clock, A. M. for the election of Governor, Lieutenant Governor, and six Senators for the district of Suffolk. Also one inspector of elections in ward No. 4. and one member of the Common Council in ward No. 7. The poll to be kept open until three o'clock P. M.

Goddard. Washington & Front streets.

Petition of Benjamin Goddard, praying, that the course of a drain or common sewer be removed; and for that purpose proposing an exchange of land, between Washington and Front streets. Read and committed to the Mayor, Aldermen Savage and Hall, with such as the Common Council may join, to consider and report. Sent down for concurrence: Came up concurred, and the Common Council joined on its part, Messrs. Gibbens, Lamb, Cornell & Turner.

Storer City of Cincinnati

Letter from Bellamy Storer, Esquire, in behalf of the Council of the City of Cincinnati, Ohio, requesting a copy of the City ordinances. Read and thereupon ordered, that the Mayor be authorized and requested to present to said Council, a copy of our City ordinances accordingly.

Ordered, That Hamilton Street be numbered under the direction of the Mayor, according to the rule as established in that respect. Hamilton st.

Ordered, That the Mayor, Aldermen Young and Upham, be a committee to ascertain, whether Washington Street can be widened between Chamberlains estate next to Farmers house row, and Pemberton lane, and report on what terms it can be so widened. Washington Street.

Adjourned to Monday next four o'Clock, P. M.

Special meeting

Friday March 28th 1828.

Present. The Mayor, and the whole board of Aldermen except Aldermen Pickering and Upham.

Ordered, That the sum of five hundred eighty seven dollars and seventy seven cents, be and the same is hereby appropriated for the purpose of indemnifying Messrs. Chamnon and Davis subject to the direction of the Mayor & Aldermen on the question of costs, conformably to the principles expressed in a report of a joint committee of the City Council, dated February 4. 1828. Appropriation Chamnon & Davis

Ordered, That the said amount be withdrawn from the appropriation for the Trustees of the House of Industry, and that said sum of five hundred eighty seven dollars,

90 dollars and seventy seven cents be paid to Messrs Chapman & Davis agreeable to the aforesaid order. Came up for concurrence. Read and concurred.

Appropriations

Ordered that there be added to certain appropriations as follows— Primary schools, five hundred and fifty dollars. City Watch, four hundred and fifty dollars. Lamps, Oil &c sixteen hundred and twenty dollars. External Health department, one hundred and fifty dollars. And that there be withdrawn from certain appropriations as follows. Internal health department, one thousand dollars. House of Industry, six hundred and twenty dollars. Widening streets three hundred dollars. Salaries and instruction of all the schools, except the primary schools, two hundred and fifty dollars Constables, one hundred and seventy five dollars. Bells and Clocks, one hundred and fifty dollars. Building reservoirs one hundred and fifty dollars. Neck lands, one hundred and twenty five dollars. Came up for concurrence. Read and concurred.

Voters

Ordered that notice be given in the newspapers, that the lists of voters in the several wards are made out and posted up in the Mayor and Aldermen's rooms and the assessors office: The Mayor & Aldermen will attend at their room every day until Saturday the fifth day of April next, inclusive, for the purpose of receiving the qualifications of persons whose names have not been entered on said lists.

An ordinance repealing in part a certain ordinance relating to the number and chair of permanent assessors. Passed in concurrence with the Common Council. 91. Assessors.

Notice from the Warden of Ward No 6, that a vacancy exists in said ward in consequence of the death of Mr. John Bolman, one of the Inspectors of Elections. Read and thereupon ordered, that there be inserted in the next warrant an authority to fill said vacancy. Ward No. 6.

Application of Messrs. Henry Williams, Ira Clark and Oliver Fletcher, a committee of "the Federal republicans of the City, in favor of the election of the Presidency & Andrew Jackson" for the use of the Supreme Court room on Monday evening next. Read & the prayer thereof granted. Williams

Adjourned to Monday next, four o'clock P.M.

At a meeting of the board of Aldermen, held on Monday, the thirty first day of March, Anno Domini, 1828. Present.

The Mayor and the whole board of Aldermen.

Chamberlain

Application of Jacob Chamberlain, John Roberts and John K. Simpson; a committee in behalf of the Republican citizens of Boston, friendly to the election of Andrew Jackson, to the presidency, for the use of Faneuil Hall, on Thursday evening next, for a public meeting. Also for permission to use the Supreme Court room, for a public meeting on Sunday evening next. Read and thereupon ordered, that the use of Faneuil Hall be granted, and that it is inexpedient to grant the use of the Court room.

Ch. Jus. Parker

Court room

A representation having been made to this board by the Chief Justice of the Commonwealth suggesting the inexpediency of permitting the rooms in the County Court house to be used for the purpose of general public meetings of citizens not only from the disturbance occasioned thereby, to the Courts, and to the public offices, but also from the increased exposure of the public records. Thereupon resolved, that hereafter the use of the rooms in the County Court house shall not be permitted for any general public meeting whatever, except for such as are required by law, or of boards acting under the authority of law.

Rand

Eng. house No. 4.

Ordered, that Thomas Rand, & William Reed be permitted to occupy the old engine house No. 4. situated

on

on the Draw bridge; for one year from the twenty fourth day 93.
of May next, upon the same terms and conditions as are
proposed in this lease.

Petition of Alexander Townsend, & Townsend
others, praying, that Washington Street, may be widened between Washington Street.
Bromfield Lane, and the Store occupied by John Ashton; which
Store projects eleven feet beyond any other building. Read and
committed to the Mayor, Aldermen Loring and Wilson to
consider and report.

Petition of Washington Allston for the Allston
use of the Centre Hall in the New Market House for the purpose
of finishing an original painting on which he is employed.
Read and committed to Aldermen Loring, Hall and Wilson,
with such as the Common Council may join, with authority to
lease said Hall for a term not exceeding four months, and report
the terms on which they shall so lease it, to the City Council.
Read twice in concurrence. Came up concurred and the Com-
mon Council joined in the choice of Messrs Allston, Parker Wm S
Shutts and Fowle.

Ordered, that the committee appointed on Faneuil Hall
the application of Washington Allston, be authorized to lease the Hall Market
over Faneuil Hall Market, for a term of time not exceeding one
year; reserving such part of the year as has been heretofore granted
to the New England Society for the promotion of manufactures and the
Mechanic arts for holding their semi annual sales. Sent down for
concurrence. Came up concurred.

91.

Dame
County House

Ordered that the representatives of Stephen Soper be permitted to assign to Abraham A. Dame, the lease of the County house on Canal street, and that said Dame be accepted as the tenant of the City, for a term of time not exceeding six months, at the rate of one hundred and sixty five dollars, per annum at the expiration of which time to be surrendered to the City.

Tallman
Purchase St.

It appearing to this board that notice has been given in pursuance of the order passed at the last meeting, on the petition of Peleg Tallman, and others, praying that a common sewer may be laid in Purchase street. And now no person appearing to object, it is therefore ordered, that the said sewer be laid, and the expense thereof apeped according to law upon those whose estates shall be benefitted thereby.

City Solicitor
Watts

Communication from the City Solicitor enclosing three dollars, being for penalties recovered of Owen Prescott, on the complaint of the City Marshal, by action of debt, for several violations of the statute of June 22. 1799, one moiety for the use of the poor and the other moiety to the use of the Surveyors of highways. Read & thereupon Ordered, that the same be paid into the Treasury.

Hunting
Primary School
Ward No 12.

Petition of Thomas Hunting, one of the primary school committee, praying that Mrs Mary Ann Miller

Miller may be permitted to occupy the Ward room in the Franklin School house for the purpose of instructing her scholars therein. Read and committed to Aldermen Savage and Hall with such as the Common Council may join to consider & report. Sent down for concurrence. Came up concurred; and the Common Council joined on its part Mess.rs Howe, Carey and Gill.

Lists of Jurors as returned and sorted by the several district committees. Read and accepted. Sent down for concurrence. Came up concurred. Jurors.

Caleb Prall, Agent for Daniel Webster, Esquire, gives notice that he is about laying his side walk at the corner of Summer and High streets, opposite his house, and he prays, that the height of the edge stone and the width of the side walk be determined. Read and committed to Aldermen Kendall and Pickering, to consider and report. Webster Summer & High streets

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen, held on Monday, the seventh day of April, Anno Domini, 1828. Present

The Mayor, and the whole board of Aldermen.

Boston Mill Corp^n

Communication of the Boston Mill Corporation, in relation to filling up the Mill Creek, and stating that they have given full powers to their Directors to take charge of their interest in that Creek, and to conclude any agreement which may be found expedient respecting the same. Read and committed to the committee, who have under consideration the widening the Green Dragon Mapage, and filling up the Mill Creek, to consider and report. Sent down for concurrence. Came up concurred.

Administration of Justice.

Order of the Common Council appointing Mess^rs Parker of Ward N^o. 10, Gray and Everett, with such as the board of Aldermen might join, a committee to enquire, if any, and what alterations and amendments are necessary to the act entitled "An act to regulate the administration of justice in the County of Suffolk" and which may in their opinion conduce to the better accomplishment of the objects contemplated by that act, and to consider the expediency of petitioning the Legislature to that end. Came up for concurrence. Read and concurred, and the Mayor Aldermen Savage and Pickering are joined on the part of this board.

The committee of the City Council 9/.
to whom was referred the application of Washington Allston Allston
Esq. for a lease of the Central Hall over the New Market, Hall over
for the purpose of finishing the large Painting on which Market
he is engaged respectfully report. That considering the work
on Mr Allston is now employed to be highly interesting to
the whole community and believing it to be the wish of
the City Council, to promote in every proper way the ad
vancement of the arts, and to encourage distinguished artists
of our own Country, propose to give to Mr Allston the free
and exclusive use of said Hall for a term not exceeding
four months from the seventh day of the present month,
to be used for the purpose above mentioned; on the single
condition of restoring the room in as good condition as he
shall receive it. Jn.o T. Loring, for the committee.

Read and accepted. Sent down for concurrence

Came up concurred.

The committee of the City Council Chapman &
on the communication of the Mayor relative to the claim Davis
of Messrs Chapman & Davis, for indemnity for rent recovered a
gainst them by Mr Amos Binney Report, that they deem
it their duty to submit the case for advisement to Charles
S. Curtis, Esquire, City Solicitor whose opinion is herewith sub
mitted in a document marked (A). By that opinion it
appears, that the Solicitor does not deem Chapman & Davis
intitled under the circumstances to any thing more than a

repayment

Chapman & Davis

repayment of the money actually received from them amounting to five hundred twenty five dollars, and seventeen cents, leaving the sum of sixty two dollars, and sixty cents as a loss to be borne by them, instead of the City. Although your committee are of opinion, that the course recommended by the Solicitor is in this respect a strictly legal consequence of the facts in the case, yet as they are satisfied that there was no intention of Chapman & Davis to involve the City in these costs by any concealment of the facts in the case; and that at the time, when they claimed and received the indemnity of the City, they acted in good faith, and with a single view to co-operate in the wish of the board of Aldermen to enable the City to bring the claims of the City to an early decision; your committee have proposed, that an appropriation should be made for the whole sum paid by Chapman and Davis to the City, including the costs, and that it shall be referred to the discretion of the board of Aldermen whether the costs shall be paid by the City after an inquiry into the circumstances. Your committee are also of opinion that the course recommended to be pursued by the City Solicitor be forthwith adopted, and they recommend the subjoined resolution for the consideration and sanction of the City Council.

By order of the committee Josiah Quincy, Chairman

In the Common Council read and thereupon

Resolved, That the Mayor and Aldermen cause a suit to be forthwith brought against Amos Binney for the rent of the Ropewalk land, conformably to the opinion given

given by the Solicitor of the City as specified in the preceding Report. Came up for concurrence. Read and concurred

Order of the Common Council authorizing the Treasurer to borrow a sum of money not exceeding twelve thousand Dollars, at such times, and on such terms and conditions as the committee of finance may approve; Provided, that all loans made by virtue of this order shall be redeemable before the first day of May, 1829. Came up for concurrence. Read and concurred. Treasurer to borrow money.

Memorial of the sub committee of the Primary School committee in relation to providing School rooms for the primary schools. Read and committed in the Common Council to Messrs. J. K. Williams, Fox and Otis, with such as the Board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Savage and Kendall are joined. Primary Schools

The committee on the petition of Ward Jackson and others, praying, that Pine Street be widened, Reported, that in their opinion, it is not expedient to widen said street, because it cannot be effectually done without great expence, and because the public convenience does not require it.

Read and accepted. Jackson Pine Street.

Webb's donation

Communication from Nathan Webb and William Minot, Esquires Executors of the Will of Rufus Webb, deceased, formerly master of the Franklin School, stating, that the deceased gave by his last will, one thousand dollars, for the benefit of indigent scholars in said School, on receiving notice that the trust is accepted by the Mayor and Aldermen they shall be ready to pay the legacy, which is as follows viz:

"On account of the affection I bear to the Franklin School, in this City, which I have instructed for many years, and for the prosperity of which I have always felt and still feel the greatest solicitude; I give to the Mayor and Aldermen of the City of Boston and their successors forever; the sum of one thousand dollars, in trust however; to pay over the interest and income thereof, from time to time to the writing master of said School, for the time being, to be by him applied to the purchase of books for the use of indigent scholars belonging to said School." Read & thereupon

Resolved, That the Mayor and Aldermen do accept said trust, and that the Mayor be authorized to receive said money and give a receipt therefor; and that Aldermen Savage and Pickering be a committee to consider and report in what manner said money shall be invested.

Streets not accepted.

Ordered, That the committee of Wards No. 3, 6 & 7, examine the several streets in their district, with the Superintendent of streets, which are unaccepted by the City, and report what streets ought to be accepted.

Petition of Isaac Scott and George Scott, stating That they have bargained for the purchase of a lot of land bounded by the north westerly side of Washington street, and the dividing line between Boston & Roxbury and contemplate immediate improvements on said dividing line; Pray therefore leave, That said line be so far defined as to warrant them in proceeding with that accuracy, that the nature of the case seems to demand. Read and committed to Wilder Given Savage and Hall, with authority to employ a surveyor to determine the line at the expense of the petitioners. 101. Scott Dividing line Roxbury & Boston.

John Lyndes a licensed victualler having been summoned to appear before this board, and shew cause, if any he has why his license should not be revoked, for a violation of the license law. And now the said John appears, and it appearing, that he has sold out his stock of goods, and that said shop is occupied by one Daniel Mace who sells under the license of said John; but that said John has no interest therein. Whereupon it is ordered, that the license of said John, for the cause aforesaid be and hereby is revoked. Lyndes license revoked

The committee are of opinion that it is not advisable to widen Washington street, between Bromfield lane & Mr. Chamberlains estate. Read and accepted. Washington street.

Adjourned to 12 o'Clock, tomorrow noon.

AT a meeting of the board of Aldermen held on Tuesday the eighth day of April, Anno Domini, 1828.

President

The Mayor. Aldermen Loring, Kennelly, Kendall & Pickering.

Votes for Gov. Lt. Gov. & Senators.

The board proceeded to examine the returns of votes from the several wards, given in on the seventh instant, for Governor, Lieutenant Governor, and also for six Senators and Counsellors for the District of Suffolk, and found the whole number of votes given in as aforesaid in the several wards were sorted, counted, recorded and declaration thereof made as by the Constitution and law are directed. The votes are particularly described & recorded in the records kept for that purpose, and the several returns were made out, and signed by the Mayor and a majority of the Aldermen and attested by the City Clerk, sealed up and directed to the Secretary of the Commonwealth according to law.

Webster Summer St. & High St.

The committee to whom was referred the annexed petition of Caleb Pratt, Agent for Daniel Webster, submit the following Report, That the public convenience requires, that Summer street and High street should be widened and straightened on the northerly sides thereof near the land of Daniel Webster, by a line drawn in manner following, to wit, Beginning on said Webster's land where the same adjoins the land of Henry Hill, Esquire, at a point ranging with that part of the northerly side of said Summer Street, which

which lies easterly of High street, and from that point running easterly in the direction of the said last mentioned part of Summer street about thirty five feet; thence turning and running more northerly partly on Summer street and partly on High street on a circular course about twelve feet in the whole, till it meets the edge stones of the northerly side walk of said High street. All which widening and straightening is laid down on a plan of said street recorded in the City archives, taken by J. F. Fuller, Esqr.

Thomas Kendall, Her order.

Read and accepted, and thereupon

Resolved, that the safety and convenience of the Inhabitants require, that High street should be widened, and the same is laid out and widened accordingly viz: beginning at a bound on High street six feet distant from Summer street, and running in a circular line to a bound on Summer street six feet distant from High street. — High street widened

Adjourned to Monday next four o'clock P. M.

At a meeting of the board of Aldermen, on Monday the fourteenth day of April, Anno Domini, 1828. Present

The Mayor, and the whole board of Aldermen.

Common land on Charles Street.

Order of the Common Council appointing Messrs. Moody, E. Williams, and Belknap, with such as the board of Aldermen might join, a committee to consider & report the improvements necessary to be made on the City land west of Charles street, being a part of the common. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Hall and Upham are joined.

Ward No. 9. Voters.

Memorial of the Inhabitants of Ward No. 9, requesting, that the list of voters in said Ward may be corrected. Read and committed in Common Council to Messrs. Russell, S. K. Williams, and Seaver with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Savage and Pickering are joined.

Kingsbury & Clark.

Order of the Common Council directing that there be paid to Seth Kingsbury, the sum of ninety dollars and to William H. Clark, the sum of eighty dollars, and that the said sums be charged to the appropriation for the fire department. Came up for concurrence. Read and concurred.

The committee on the petition of Thomas Hunting praying, that Mrs Mary Ann Miller may be permitted to occupy the Ward room in the Franklin School House, for the purpose of instructing a primary school, Report, That it is, in their opinion expedient to have most of the primary schools in the City, if not all supplied with more convenient rooms than they now generally occupy, because the number of the pupils may thus be considerably increased, and more spacious school rooms will tend to the better preservation of order and the health of pupils & instructors; that inasmuch as the compensation of instructors is fixed by the committee on primary schools at two hundred and fifty dollars, subject to all charges of fuel, finding of rooms, benches and other accommodations, it will be an advantage to the instructors to have their liability to the rent of rooms less subject to fluctuation than heretofore it has been, as would naturally be the case if the rooms occupied were found by the City; wherefore they recommend, that the ward room in the Franklin school house be permitted to be occupied by a primary school, the instructor having therefor a rent of forty dollars, for each year in quarterly payments, until the further order of the City.

Which is submitted by Jas. Savage for the committee.

Read and accepted. Sent down for concurrence.

Ord. Laid on table in Common Council.

Hunting primary school

Robert A. Badger nominated and appointed a fireman in Ward No. 1.

Fireman Ward No. 1.

Gray

Petition of Samuel Gray, praying an abatement of taxes, stating, that he has been doomed on personal estate to the amount of fifteen thousand dollars, and taxed accordingly; that in truth he is not worth one fifth part of that sum, and ought not to be doomed on more than two thousand five hundred dollars. Read and committed to Aldermen Savage and Pickering, to consider and report.

City Solicitor

Communication from Charles P. Curtis Esq. City Solicitor, stating, that application has been made to him to defend an action brought against one of the watchmen for an alleged assault and battery and false imprisonment, who justifies by colour of his office; and praying, that he may receive instruction in this case, and all other similar cases, that a general rule may be established; and also in regard to advancing fees and expenses of witnesses &c. to enable him to defend said suits. Read and committed to Aldermen Savage & Pickering to consider and report.

City Marshal

Small Pox Canary Islands.

Communication from the City Marshal stating, that the small pox is raging to an alarming degree in some of the Canary Islands, especially in Teneriffe. Whereupon the following order was passed, and ordered to be published, viz:

Whereas satisfactory information has been received by this board of the prevalence of the small pox, to a very alarming degree in some of the Canary Islands especially in Teneriffe; Whereupon ordered, that all vessels arriving from either of the Canary

Islands

Islands in this port of Boston, shall be required to come to an anchor at a distance of one hundred yards from any wharf or shore of this City, until the same are visited by the Harbour Physician or City Marshal to ascertain that no person has died of any infectious or contagious disease; and no persons of the crew or any passenger in such vessel shall be allowed to leave, before such visit, and the pilots of this port are directed to give notice of this order to all such vessels.

Petition of John Eaton and others. Eaton
praying, that the common sewer in the easterly part of North Bennett
Bennett Street may be taken up and enlarged, and the expense North Bennett
thereof assessed upon the estates of those who shall be benefitted Street.
thereby. Read and thereupon ordered, that all persons interested
be notified to appear before this board on Monday next, four
o'clock P. M. and show cause, if any they have, why the
prayer thereof should not be granted.

Petition of Samuel Eichborn, & Eichborn
others praying, that the common sewer, running from Sun & Sun Street
Street through Cross Street may be repaired or laid anew, Cross Street.
and the expense thereof assessed upon those whose estates
shall be benefitted thereby. Read and thereupon ordered,
that all persons interested be notified to appear before this
board on Monday next, four o'clock P. M. and show
cause, if any they have, why the prayer of said petition
should not be granted.

Communication from Ebenezer Smith

Boston Mill Corp. Haverhill St.

in behalf of the Directors of the Boston Mill Corporation, stating, that it is the wish of the said Corporation, that Haverhill street should be moved eastward ten feet farther distant from the Canal, than it now is, so as to make the lots between said street and the Canal ten feet wider. Also, that instead of its present width, which is forty feet, said street should be laid out fifty feet wide. Wherefore he, in behalf of said Directors, prays, that said street be removed and widened accordingly.

Read and the prayer thereof granted, and thereupon

Resolved, that the safety and convenience of the Inhabitants require, that part of said Haverhill street, on the southwesterly side thereof as now laid out be discontinued, viz: bounding northwesterly on causeway street, ten feet, and continuing the same width southeasterly, until it comes to Market street. And that said Haverhill street be widened and laid out by taking a piece of land into the same, bounding northwesterly on said Causeway street twenty feet, and continuing the same width southeasterly, until it comes to Market street. and that said Haverhill street be altered, widened and laid out accordingly, when said strip of land of twenty feet wide shall be filled up to the acceptance of this board.

Ch. Eng. fire dep. Berkford.

Communication from the Chief Engineer of the fire department, inclosing an account of expenses incurred by Joseph B. Berkford, in consequence of an injury received at the alarm of fire at South Boston. Read

and

and committed to Aldermen Kennelly and Kendall, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs. Stevens, Turner & Simonds. 109.

The committee who were authorized to dispose of the Engine house recently improved for the use of Engine No. 8. report, that they have agreed to sell the Engine house aforesaid, being of the value of six or eight dollars to the owner of the land on which it stood, and which she has agreed to accept in full of her claim for rent of said land, and for restoring the fence thereon conformably with the agreement made with her by the City. Engine house No. 8.

Read and accepted. Sent down for concurrence. Came up concurred.

It appearing to this board that Jacob Herrick a licensed victualler at South Boston, has violated the license laws, and notice having been given him. Thereupon ordered, that the said Jacob Herricks license be, and hereby is revoked. Herrick's license revoked

Petition of John D. Williams & others, praying that a number of fire plugs may be inserted in the Aqueduct in the southerly end of Washington St. from Roxbury line to Pleasant street, to be used in case of fire Williams Fire plugs

110. fires. Read and committed to the committee on the fire department, with authority to cause the same to be done if they shall deem it expedient.

Gould, Latin School fund

Communication from Benjamin A. Gould, Master of the Latin School, stating, that there is in his hands the sum of six hundred dollars, and interest from the sixth day of August, last, which sum was subscribed towards a permanent fund, for prizes at the said school. Read and thereupon ordered, that the Mayor receive said sum, and invest the same for the object contemplated by the donors.

Dearborn

Petition of John M. Dearborn, praying permission to fill his machines for watering the streets, from the City wharf, with salt water from a reservoir, which he has obtained permission of the proprietors of the Long wharf to erect at the north side of their said wharf. Read and committed to the committee on the Market, to consider and report.

City Marshal.

Report of the committee on the subject of repealing an ordinance authorizing the election of City Marshal, was read and sent down.

Adjourned to Monday next, four o'clock, P. M.

Special meeting. Wednesday April 16th 1828. 111.

The board of Aldermen met.

Present. The Mayor, and the whole board of Aldermen except Alderman Hale.

Petition of Nathaniel Paxon and others, occupants of stores on the north side of Faneuil Hall, and vicinity stating, that they are constantly interrupted by a gang of Sedlers, directly in front of their doors, to the great annoyance and disadvantage of themselves and customers, which collects together a set of lazy, idle loungers, who make it a principal resort, who are often noisy and quarrelsome. Wherefore they pray, that the stalls which are there placed, may be removed, or they would hire the same of the City, and lay them open for the public benefit. Read and committed to the Mayor, Aldermen Loring, Fall and Upham to consider and report. Paxon &c.

Ordered, that the committee on the Market be instructed to mark out the places for stands for the sale of Lobsters, and other shell fish, in Market square, Merchants Row, South Market street, North Market street & the street running from the Long wharf to the Clock as they may deem expedient for that purpose; and give directions to the Clerk of Faneuil Hall Market, to let and rent the same, and report to the board the terms upon which the venders shall occupy said stands. Lobsters & shell fish stands.

112.

Lobsters, Shell fish

Ordered, That Alderman Savage and Hall, be a committee to consider and report what regulations it may be expedient to adopt, with respect to persons occupying stands for the sale of lobsters, and other shell fish in the neighbourhood of Boylston Market.

City Solicitor to

The committee to whom was referred the communication of the City Solicitor, of the fourteenth of April, instant, submit the following report, that it is expedient to instruct the City Solicitor to defend the case of the Watchman mentioned in his said communication, at the expense of the City, and to make all necessary advances of money for witnesses fees, and other charges during the progress of the action. The committee further report, in relation to the other part of the Solicitor communication, that it is difficult to lay down an invariable rule for his government in all the cases which are likely to occur, which are thus described in the ordinance upon this subject, passed on the 18th of June 1822, viz: "All actions and suits brought, or to be brot against the said City, or any officer of the City, wherein or whereby any of the estates, rights, privileges, ordinances, orders, or acts of the City government or any branch thereof, may be brought in question." From the great number of officers, of various degrees of intelligence and discretion, of various dispositions and temperaments, and selected from different classes of the citizens, it is obvious that occasions for groundless suits will be as likely to occur among them, as among individuals

of

of a similar character who are not City officers; & if a spirit of litigation should be encouraged, as it would be by indemnifying the officers in all cases, the consequences would be extremely injurious to the peace and welfare of the City. But on the other hand, it is the duty of the City to protect its faithful officers in the proper execution of their duty, and to indemnify them when they are compelled to defend themselves in the discharge of their official duties. The committee therefore recommend as the most practicable direction which they can propose on a subject of this nature, the following order for the government of the City Solicitor, until their further order of this kind shall be: That in all the actions and suits described in the ordinance above mentioned against any officer of the City such officer shall in the first instance prosecute or defend at his own expense; and if it shall be found, either as it regards or otherwise in the opinion of the Solicitor, that such officer did so prosecute or defend for good cause and that he ought to be indemnified for his expenses in such suit, then the City Solicitor shall certify accordingly, and such officer shall be so indemnified; otherwise such expenses shall be borne by the officer himself.

James Savage for the Committee. Read & accepted.

The committee of the City Council Putnam
to whom was referred the petition of Joseph Putnam & others, Taxes
praying, "that the system of apportioning the taxes as now

Assessed

111. pursued in this City may be investigated, and a modification of it considered, respectfully report, in part, that the subject referred to them is one of the most important which can be submitted to the attention of the City Council, whether the private interest of the Citizens or the general prosperity of the City be considered. This subject embraces naturally two inquiries. 1. Whether the principle, on which taxes are now assessed can be advantageously changed. 2. Whether the mode in which assessments are now made admits of any beneficial alteration. Both inquiries were referred to a sub committee, whose report marked A together with the opinion of the City Solicitor on certain questions of law submitted to him by that sub committee marked B, is subjoined, and the ordinance reported by that sub committee and which is connected with their report, is respectfully recommended for the consideration and adoption of the City Council.

The inquiry whether the principle on which taxes are now assessed can be advantageously changed, involving questions of great interest and magnitude, and being of a nature to require the sanction of the Legislature should any modification be deemed advisable; your committee have reserved for future consideration, and on which they will hereafter submit a report. By order of the committee. Josiah Quincy, Chairman

Assessors. An ordinance fixing the number and providing for the choice of assessors" being reported by the above committee, Came up from the Common Council, for concurrence. Read and concurred.

Petition of Isaac M. Cary, and others, stating, that six buildings on the east side & four on the west side of Washington Street are about being taken down & rebuilt, and praying that part of said Street between Court Street and Market Street may be closed for a term not exceeding sixty days. Read and the prayer thereof granted under the direction of the committee of the district, for a term of time not exceeding the time above mentioned.

Cary
Washington St.

Adjourned to Monday next four o'clock P.M.

Special meeting.

Thursday April 17th 1828. (8 o'clk P.M.)

Present the Mayor and the whole board of Aldermen except Aldermen Kennedy and Hall.

A fire having taken place in the room under the Court house on Faneuil Street occasioned by boilers placed therein. Ordered, that Aldermen Loring, Kennedy, Kendall, Wilkins & Armstrong, be a committee to take into consideration the expediency of removing the boilers attached to the Gaol house, from under the Court house, and if deemed expedient in their opinion to cause to be erected a building in the Gaol yard and place them therein.

Court House
Faneuil Hall

Adjourned to Monday next four o'clock P.M.

116.

AT a meeting of the board of Aldermen, on Monday, the twenty first day of April, Anno Domini, 1828. Present

The Mayor & the whole board of Aldermen.

Oliver Canal St.

The committee of the City Council to whom was referred the petition of Francis J. Oliver, praying indemnification for losses incurred, in consequence of the pulling down of his house, for the purpose of stopping the fire in Canal street, by order of the Engineers, respectfully report, That the claim of Mr. Oliver, comes strictly within the provisions of the Statutes of this Commonwealth relative to indemnity by other towns in like cases; and the bill of repairs after examining the Carpenter employed, seemed to your committee reasonable. The only question arose upon the claim for rent lost, during the time, which elapsed between the pulling down the house, and the time, when by its repairs, it had become tenantable. Although the amount was, in this case, little important, yet as a precedent, your committee deemed it proper to omit reporting in its favour, until after consultation had with the Solicitor of the City. His opinion marked A, is herewith transmitted. Your committee therefore recommend the passing the following order, which is respectfully submitted, by order of the committee Josiah Quincy, Chr.

Ordered, That the sum of one hundred and forty six dollars and twenty five cents be paid out of the City Treasury to Francis J. Oliver, in full for all injury sustained

by

by him in consequence of the pulling down his house in Canal Street by order of the Engineers of the fire department & that the same be charged to the appropriation for that department. Read and accepted, and the order passed.

Sent down for concurrence.

Postponed indefinitely in Common Council.

Coolidge, Poor & others, Faneuil Hall over Faneuil Hall Market.

The committee who were authorized to lease the Hall over Faneuil Hall Market for a term of time not exceeding one year, Reported, that they have leased the eastern division of the hall to Messrs Coolidge, Poor & Read, for the term of six months from the 1st day of April for the sum of two hundred and fifty dollars. Read & accepted. Sent down for concurrence.

Came up concurred.

Stalls in the Market.

The committee who were instructed to consider the expediency of requiring leases of the several tenants of stalls in the Market house, Report, that on inquiry they find, there is an unwillingness on the part of some of the tenants of the stalls to take leases, and as the business of the Market is well conducted, and the rents of the stalls punctually paid; it seems to your committee useless to make any alteration in the present state of its affairs. Report accepted.

Taylor & others

The committee on the petition of Daniel Taylor, and others, for a reduction of rent of cellars under the

118. The Market house, report, that on inquiry, they do not find, that at present, it is necessary or expedient to reduce the rents of the cellars referred to, in said petition; the prayer of the petitioners therefore in their opinion ought not to be granted. Read and accepted.

Dearborn. The committee on the petition of John M. Dearborn for leave to place pumps on the City Wharf, near the bottom of Chatham street, report, that said Dearborn have permission to place his pumps in the place referred to, subject to be removed at the pleasure of the City. Read and accepted.

Otis Pinkney Street. The committee to whom was referred the letter of Harvey Otis, owner of a lot of land on the north side of Pinkney street, requesting that a survey of his land may be made, in order that his bounds as they relate to said street may be defined, respectfully report that the proprietors of land through which the lower part of Pinkney street is carried, have recently widened that part of the street (which is included between the School house and Charles street), and have placed the edge stones so far north, as to be on a line with the houses on the upper part of said street, thus adding to the width of this part, about five feet more than it was originally laid out. At the request of H. G. Otis, Esq. and others, the Surveyors of highways consented to pave the gutters of this street, provided the proprietors would set the edge stones, and

otherwise

otherwise finish the street to their acceptance. This being accordingly done, the superintendent of streets, proceeded to have the gutters following the line of the street as defined by the edge stones. It now appears that the proprietors of the land on the north side of the street have not agreed to this widening, and Mr. Harvey Otis who is the owner of a lot at the corner of Charles and Pinkney streets demands payment for that part of his land which was intended to form the side walk in front of his lot, a similar demand may be, and probably will be made for all the land on this side of the street to the extent of five or six hundred feet, under these circumstances your committee recommend that no further measures be taken in relation to Mr. Otis' application, but that he be permitted to occupy the whole of his lot if he should deem it expedient so to do.

Jno. T. Loring, for the committee.

Read and accepted.

The committee to whom was referred the petition of Samuel Gray, for an abatement of taxes, report, that they cannot doubt, that the intent of the statute 1783, C. 50, for the choice and appointment of assessors and assigning their power and authority in § 9, wherein is provided, that "if any person or persons shall not bring in a list of their estates to the assessors, &c. who or they so neglecting or refusing, shall not be admitted to make application" for an abatement of the assessment, will, in the present case prevent

Gray
Taxes

this

120. this board from granting the prayer thereof, though the committee is satisfied the petitioner was erroneously doomed.

Jas. Savage, for the committee.

Read and accepted.

Webb's Donation Franklin School

The committee who were directed to consider and report, in what manner the legacy of the late Rufus Webb, to the Mayor and Aldermen of the City of Boston, and their successors forever, of the sum of one thousand dollars in trust "to pay over the interest and income thereof, from time to time, to the writing master of the Franklin School for the time being, to be by him applied to the purchase of books for the use of indigent scholars belonging to said school," shall be invested, have considered the subject, and report; that it is expedient that the interest and income of said trust fund should be received and paid over and applied according to the testators intent, semi annually, and therefore that the same should be put out for a term of years, at interest payable half yearly, on good security, by mortgage, and that the City Clerk be directed to put out the same in such manner as he shall think safe. Which is submitted. Jas. Savage, for the com.

Read and accepted.

Pichborn. Ann Hosp sheals.

It appearing to this board that notice has been given, agreeably to the order passed on Monday last, on the petition of Samuel Pichborn, and others, that the common sewer running from Fun street through Cross street;

to

to the harbour be retained or laid out anew, and the estimate thereof adopted according to law. And now no person appearing to object it is thereupon ordered, that the prayer of said petition be granted.

Petition of John H. Schaffer, Schaffer.
praying for a lease for a term of years of fifteen or twenty acres of the land at the bottom of the Common, commonly called the Schenuit lands, to be appropriated to the purpose of a public place of lawful recreation after the plan of Fairmount gardens. Read and committed in Common Council, to the committee who have under consideration the improvement of City land west of Charles street, to consider and report.

Came up for concurrence
Read and concurred.

Mayor's message.

Gentlemen of the City Council. Mayor's message
Washington St.

I have received from the proprietors of land bounding westerly on Washington street, and southerly on the estate of Joseph Coolidge Esq. at the corner of Washington street the whole extent of their front being it is said nearly one hundred and fifty feet by setting back the stores they are now preparing to build, six feet, and giving the land to the City "upon condition that the City authorities will cause the building owned by Joseph Coolidge Esq. above mentioned to be cut off so as to coincide with the front they

Thus

thus borrow to make. As an opportunity so favourable to effect an important improvement, in this principal street of the City can seldom be expected to occur in the general course of events, I recommend the subject to your early consideration. Josiah Quincy.

Read and committed to the Mayor, Aldermen Loring, Kendall and Upham, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs. Olivers, Eveleth, Perrin, Lane and Moody.

Amory
Avery St.

Petition of John Amory, and others, to have Avery street widened. Read and committed to Aldermen Savage and Hall, to consider and report.

Eaton
Howe
North Bennet St.

Ordered, that the petition of John Eaton, & others, to have the common sewer repaired in North Bennett street, and the remonstrance of John Howe, and others against the same, be laid upon the table.

Engine house
Bratle St.

Ordered, that the plan of a new Engine house on Bratle street be committed to the committee on the fire department, to consider and report.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the board of Aldermen on tuesday the twenty second day of April, Anno Domini, 1828. Present.

The Mayor, & the whole board of Aldermen.

Appropriations.

An order relative to specific appropriations. Came up for concurrence.

Read and concurred.

Tax.

An order laying a tax to pay the expenses of the City of Boston and the County of Suffolk during the next financial year. Came up for concurrence.

Read and concurred.

Representatives number of.

A message was received from the Common Council, requesting the concurrence of this board, in assigning Thursday the first day of May, next, at eight o'clock P. M. for the meeting of the two branches of the City Council in convention, to determine upon the number of Representatives, which it may be expedient for the Corporation to send to the General Court, the ensuing year.

Read and thereupon ordered, That this board do concur in the application to form a convention, at the time and for the purpose above mentioned, and that a message be sent to the Common Council to that effect.

Rainsford Island.

Ordered, That the Committee on Quarantine Department be instructed to proceed forthwith to construct a wharf at Rainsford Island.

Shepherd

Communication from the Directors of the House of Industry, stating, that John Francis Shepherd, a spendthrift, under the Guardianship of Lemuel Parker, of Pepperell, is lawfully settled in the City of Boston, and has received relief, from the Overseers of the poor of said Pepperell, as a pauper, so called, and chargeable to said City. And the said Directors have understood and been informed that said Shepherd has a reversionary interest in certain real and personal estate of the value of five thousand dollars, or thereabouts. But it is probable that said Shepherd and his family may again require assistance from the Overseers of the poor of said Pepperell. Wherefore they submit the same for the consideration of this board. Read and committed to the Mayor and Alderman Pickering, to consider and report.

Reservoirs

Ordered, that the committee on the fire department be instructed to construct Reservoirs in Washington street, above Winter street, not exceeding five.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen, on Monday the twenty eighth day of April, Anno Domini, 1828. Present.

The Mayor, and the whole board of Aldermen excepting Alderman Pickering.

Ordered, That the Treasurer be, authorized to borrow for the use of the City, and in anticipation of the tax of the financial year commencing May 1. 1828, a sum of money, not exceeding one hundred and twenty three and dollars, reimbursable at such times within the said year; and on such other terms and conditions as the committee of finance may approve. Came up for concurrence. Treasurer to borrow money.

Read and concurred.

Agreeable to assignment the board proceeded to ballot for the choice of three Assessors, for the year ensuing, and the votes being taken, it appeared that Messrs Samuel Norwood, Henry Bass and Willard Phillips were chosen, in concurrence with the Common Council. Assessors

The committee to whom was referred the petition of John Amory, and others, to have Avery street widened, report, That Avery street is narrower as represented in said petition at the westerly end than at the easterly, by a few inches, not exceeding one, and that it would comply with the request would be no benefit; but your committee Amory & Avery st.

126. mittee are satisfied that it is desirable that Avery street should be widened in its whole length from Washington street to Mason street, on its northerly side about six feet, but that the expense will be too great for the object, so far as the City is concerned; and that the estates on that side will be benefited three times as much as the community in general, and the committee think that a prospective improvement of said street; and also of a small part of Mason street nearest to Avery street is desirable; wherefore they recommend a view by the whole board to take place to morrow morning. Jas. Savage, for the com.tee

Read and not accepted.

Knapp

Remonstrance of Josiah Knapp, & others, owners and occupants of wharves, within the south harbour of the City, against the construction of the draw in the new bridge to South Boston, shewing the inconvenience which vessels have sustained in passing the same; and praying that such provisions may be adopted in relation to the same as the nature of the case demands. Read & committed in Common Council to Messrs Everett, Moody & Ward; with such as the board of Aldermen might join, to consider and report. Came up for concurrence and Aldermen Kendall and Hall are joined.

Fireman Ward No. 6.

George L. Stearns, appointed a Fireman for Ward No. 6.

Barton Point Association.

The committee for the reduction of the City debt, respectfully ask leave to report to the City Council, That, under an order of the City Council passed February 18th 1878, giving them authority to that effect, this committee have caused to be released to the Barton Point Association, the security which the City held on three several lots of the land purchased of the City by that Association, containing three thousand seven hundred and fourteen square feet, which were mortgaged to secure the payment of three several notes of hand, amounting to two thousand eight hundred eight nine dollars & thirty three cents. These notes have, also, been given up to the Association; and one note of equal amount signed by the President of that Association has been received in lieu of those thus given up. As collateral security for the payment of that note, the Barton Point Association have pledged to the City four other notes of hand, amply secured by mortgage, amounting to four thousand, four hundred and seventy dollars and sixty cents. The committee have, also, released the general security which the City held on seven other lots of the same land, containing eight thousand seven hundred and ninety three feet; and, also, on the land which the Barton Point Association have thrown into the streets which they have laid out viz: Vernon street, thirty two feet wide, extending two hundred and fifty feet, and Brighton street continued, thirty four feet wide, extending one hundred and sixty feet. For the seven last mentioned lots of land thus released to the Association, there cannot be a doubt that the City is amply secured by the increased value which the Association has

added

198. added, upon the remainder of the estate, which is yet mortgaged
Barlow Point Association
to the City; they having constructed upon the premises, a new wharf, and five dwelling houses at an expense of twenty eight thousand dollars. These houses the Association have caused to be insured; the amount of the policies of insurance, in case of loss, to be paid over to the City. The committee have released the security upon the land thrown into the streets, only upon the condition that they shall forever be kept open as public highways. Before the completion of these releases, the committee were perfectly satisfied "that the security of the City for the debt remaining due from the Association would not be reduced below the just & reasonable security, which at the beginning of the contract, was designed to be given to the City, by the said Association." The Association has furnished the committee with a colored plan of their estate, shewing the streets and lots, as they have laid them out; and designing those lots which are built upon, and those upon which the City has now released its security; which plan is deposited in the Auditor's office. The City Solicitor was employed by the association, to draw the papers in relation to these releases, and has given his certificate of their correctness. Those of the papers which are the property of the City, have been deposited with the auditor, for safe keeping. Josiah Quincy, Mayor
John K. Allen, President of the Com. Council
John L. Gray, Chairman of the Com. of Finance.
} Committee for the Reduction of the City debt.

Read and accepted, in Common Council.

Came up for concurrence.

Read and concurred.

The committee on the petition of Isaac Scott and Geo. Scott, report, that a Surveyor ought not to be employed by the City, because the City has no interest in the subject but they are happy to be able to report, that the Petitioners have attended to their own business and employed their own Surveyor and had the survey satisfactorily performed. Read and accepted. 129. Scott

Petition of John H. Belcher & Ors. praying that some measures may be adopted, to relieve the grievance which they sustain by reason of carriages, carts &c standing in front of their stores in old Faneuil Hall building. Read and committed to the committee on the Market, to consider and report. Belcher

Petition of Jacob Rust, and others, for himself, and others, praying damages in consequence of taking town Square &c. part of their estate into Charlestown and Causeway streets. Read and committed to the Mayor, Aldermen Kennedy & Gardner, to consider and report. Rust Charlestown

Petition of George H. Kuhn, praying permission to place in the rear of the County Court House, a cistern for the purpose of receiving urine; under such regulations as may be deemed consistent with the interests of the City, & the health & convenience of the citizens. Read & committed to Aldermen Loring, with authority to have it executed. Kuhn

Communication from Robert L. Long and A. Robinson; stating that it is their intention in a few days to commence laying of gas pipes in the City, by replacing the pipes formerly laid by the gas light company, with new ones, and continuing the work throughout the season. Read & thereupon ordered, that the Superintendent of Streets, superintend the replacing the pavement &c. under the direction of the several district committees.

Long & Robinson Gas works.

Order establishing the salary of the Assessors. Came up for concurrence. Read and concurred with an amendment. Sent down for concurrence. Came up concurred with an amendment. Read and now concurred, & thereupon ordered, that Aldermen Loring and Armstrong be a committee to confer with such committee as the Common Council may appoint on its part relative to the subject matter of difference between the two boards. Sent down for concurrence. Came up concurred, and the Common Council appointed on its part Messrs Gray and Bigelow.

Assessors Salary Com. of Conference

The committee on Neck lands, to whom was referred a communication of the auditor of the City relative to certain lands sold by the City, and of which the purchasers had neglected to take their deeds, respectfully report, That the subject above referred to this committee had respect to three purchasers of City lands at auction sales viz: Valentine O. B. Brown, Edward H. Robbins, Junior and John Bellows, Esqrs

Neck lands.

The

The pecuniary circumstances of the above named Brown were on enquiry found so desperate that your committee were unanimously of opinion that it would be inexpedient to take any measures to enforce compliance with his contract. With respect to the purchase of Wm. Robbins, it was found that it was made under assurances which had not been complied with by those who had the superintendence of the auction sales on behalf of the City, which justified Mr. Robbins in declining to comply with his purchase. In the case of Mr. Bellows the difficulties which obstructed his settlement having been surmounted deeds have been executed and a final settlement effected in conformity with the principles of the sale and the legal obligations of the respective parties. All which is respectfully submitted by order of the committee.

Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

The committee to whom was referred the petition of Joseph B. Rockford a member of engine company number fourteen, who received injury in consequence of the alarm of fire at South Boston, on January last, report that it is the opinion of the committee that he be allowed one dollar per day, during his loss of time being twenty four days, as per his bill; and the amount of the doctors bill nine dollars. Also the bill of medicine, being two dollars and fifty cents, making the whole amount forty three dollars and

Rockford

fifty

fifty cents, and that said sum be paid out of the appropriation for the fire department. By order of the committee.

Robert Fennelly, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Mer. Wf. Co. Bridges over Creek

The committee to whom was referred the petition of the Mercantile Wharf Corporation, praying that bridges may be built over the Creek, Report, That by the contract mentioned in their petition the City are under obligations to cause a good and sufficient bridge of the width of fifty feet to be laid to the satisfaction of the Surveyors of highways on or before the second day of June next, the cost of which is to be deducted from the sum stipulated to be paid in and by said contract by the City to the said Corporation. Under these circumstances your committee recommend that a joint committee be appointed to cause the said bridge to be built, within the time specified in the said contract. With respect to the bridge to be made from the end of the present sixty five feet street to Marginal street, the City is under no obligation to build the same, until Marginal street shall be completed to within sixty feet of Exchange Wharf, which is not yet the case. Signed by order of the committee.

Josiah Quincy, Chairman.

Second Street

Read and laid upon the table, and thereupon ordered, that Aldermen Hall, Aldham and Armstrong be a committee to cause a bridge to be built over the Mill Creek, in connection with Second street (so called)

Ordered, That Aldermen Loring and Kendall, be a committee with authority to make the line of the lots No. 2 & 3. on Inn street and Merchants Row, on a circle, after consulting Mr. Fuller the Surveyor shall deem best conformable to the agreement made at the time of the sale. Inn Street & Merchants Row.

Communication of the City Marshal inclosing rules for night work and night men. Read & adopted by the present year. Night Carts

The committee to whom was referred the subject of widening the lane near the Green Dragon Tavern, and also certain memorials of the Boston Mill Corporation relative to the filling up the Mill Creek, and also relative to certain claims of the City on said Corporation, made a report, which was read and sent down. Green Dragon Lane & Mill Creek.

Notice of William Wentworth, that he is about building on Pond street, and praying, that the elevation of the street in that place may be determined. Read and committed to Aldermen Kennelly & Armstrong to consider and report. Wentworth Pond St.

Adjourned to Thursday next, seven o'Clock, P. M.

At a meeting of the board of Aldermen, on Thursday the first day of May Anno Domini, 1828.

Present.

The Mayor, and the whole board of Aldermen except Aldermen Pickering and Upham.

Darracott

Memorial of George Darracott, and others, praying, that the City Council do agree to send to the next General Court, at least forty Representatives. Came up from the Common Council. Read and filed.

Com: Council Two members resigned.

A message in writing was received, from the Common Council, stating, that John D. Dyer, Esq. a member of that branch from Ward No. 3. had resigned his seat. Also, that George Bethune, Esq. a member from Ward No. 10, had resigned his seat, both those gentlemen having removed from the city, and requesting that warrants be issued to the Inhabitants of said Wards to fill the vacancies.

In Convention.

Representatives No. agreed upon.

Agreeably to assignment a Convention of the City Council was formed in the Chamber of the Common Council, for the purpose of determining the number of Representatives it may be expedient to send to the next General Court.

The question being taken, it was determined, that the number should be forty. The business of the Convention being accomplished, the two boards separated.

Ordered, that warrants be issued for the meeting of the Citizens in their several wards on Thursday next, the eighth instant, at eleven o'clock, A. M. for the choice of Representatives. Also, that there be inserted in the warrant for the meeting of Ward No. 3. that they elect a member to the Common Council in place of John D. Dyer, Esq. resigned. Also for the meeting of Ward No. 10. that they elect a member to the Common Council in place of George Bethune Esq. resigned. And also, that there be inserted in the several warrants, that all vacancies which may exist in the several wards be filled.

Warrants for Ward meetings.

The Polls to be kept open until three o'clock P. M.

Communication from the City Marshal, stating, that the British Brig Emily, Capt. Kelly, arrived at this port, yesterday from Halifax; from information received, he is led to believe that the small pox has now become nearly if not quite extinct there. Read & Thereupon ordered, that the order passed this board Dec. 3. 1825 requiring vessels from that place to come to anchor & that no person be permitted to land until such vessel shall have been visited by the Resident Physician or City Marshal to ascertain if any person had died or was then sick on board of any infectious or contagious disease, be & the same is hereby repealed.

City Marshal concerning Halifax vessels.

Order of the Common Council appointing as Assistant Assessors. Came up for concurrence. Read & concurred.

Assistant Assessors.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen on Monday the fifth day of May Anno Domini, 1828. Present.

The Mayor and the whole board of Aldermen, except Alderman Pickering.

Treasurer's accounts.

Order of the Common Council appointing Messrs. Oliver, Stevens, and Aspinwall, with such as the board of Aldermen might join, a committee to examine the accounts of the Treasurer of the City of Boston, & County of Suffolk, for the past municipal year. Came up for concurrence. Read and concurred, and Aldermen Hall and Armstrong are joined.

Taxes.

Order of the Common Council committing an ordinance, to repeal the first section of an ordinance upon the subject of taxes, to the committee who have under consideration the petition of Jesse Putnam, and others. —

Came up for concurrence.

Read and concurred.

Dir. H. of Indus.

Agreeably to appointment, the board proceeded by ballot, to the choice of nine Directors of the House of Industry; the votes being taken, it appeared that the following Gentlemen were chosen, in concurrence with the Common Council, viz.: Richards Child, Benjamin T. French, Billings Briggs, Benjamin Willis, Joseph D. Hastings, Moses Grant, Moses Wheeler, Joshua Blake & Joseph Lewis.

The committee of Conference on the part of this board, to whom was referred the subject matter of difference between the two boards of the City Council, relative to the assessors, for Clerk hire, report, that they have met the conferees on the part of the Common Council, and after having well considered the subject, have agreed to recommend to this board to recede from their former vote, and concur with the Common Council in their amendment to the amendment proposed by this board, so as to limit the compensation for Clerk hire of the assessors, to five hundred dollars. Which report is accepted, and this board do recede and concur accordingly. Com. of Conf. Assessors Salary.

Petition of James C. Ewer, Junior, and George W. Ewer, praying, that the City would let to them, about sixty feet of the wharf situated on the north side of the Creek near the Hay scales, for the term of one or more years. Read and committed to Aldermen Kennelly and Armstrong, with such as the Common Council may join to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. S. Gould, Tufts and Lane. Ewer

Solomon Piper, gives notice that he is about erecting a brick building on Sea street. Read and committed to Aldermen Savage and Hall to consider and report. Piper Sea Street.

138.

Sharkey

Petition of John Sharkey, for compensation for damage done to his scow, by the fire depart ment during the fire in Ann Street. Read and committed to the Mayor to consider and report.

Little & Haskell Bond Street.

Petition of Little and Haskell, praying, that a common sewer may be laid in Bond street, from the end of the sewer now laid near Cooper street to the old mills. Read and thereupon ordered, that all persons interested, be notified to appear before this board, on Monday next, four o'clock, P. M. and shew cause, if any they have, why said sewer should not be laid, and the expense thereof assessed upon those whose estates shall be benefitted thereby.

Calrow's licence revoked.

It appearing to this board, that William Calrow has been found guilty of selling liquors on the Lord's day, and was sentenced by the police Court to pay a fine: he said Calrow being a licensed victualler; the said Calrow being notified to appear before this board; but does not appear; Thereupon ordered, that the license of a victualler granted to said Calrow be and hereby is revoked.

Goodale's licence revoked.

John W. Goodale, a licensed victualler being also summoned to appear and shew cause why the license granted to him should not be revoked, it appearing that a license was taken out in the name of said Goodale; but that the business is carried on by the above named William Calrow, who is solely interested in the shop, and that said

Goodale

Goodale has no interest therein. Thereupon ordered, that the license heretofore granted to said Goodale (for the cause aforesaid) be and hereby is revoked.

The Mayor laid before the board a communication from the board of Engineers of the fire department, stating, that at a meeting of that board, held at the Exchange Coffee house on the twenty ninth day of April last, on a complaint made by Wm. Joseph D. Emery, one of the Engineers of the fire department of the City, against Captain John Foster, foreman of engine No. 15, "for disobedience of orders, abusive and unbecoming language at the fire in Washington st." on the morning of the twenty second day of April; both parties being present, the charges of Mr. Emery being read, and the testimony being heard; the board being fully convinced that the charges preferred by said Emery against said Foster were fully substantiated; it was unanimously voted, that the chairman report the said proceedings to the Chief Engineer, with a request that the conduct of Capt. Foster, be reported to the Mayor and Aldermen, to the end that he be discharged from the fire department, for disobedience of orders; the said board of Engineers at the same time that they expressed their sense of the necessity of this measure, expressing also their extreme reluctance at that necessity, the said Foster having before that time deserved and acquired the reputation of an energetic and active fireman. Which proceedings having been read and considered, by the Mayor and Aldermen, Engineers. Foster.

140. Aldermen, it is thereupon ordered, that the said John Foster be discharged from the Company of Engine men No. 15. of which he is now a member and foreman, and he is hereby discharged accordingly, from said company, and from said fire department.

Ordered, that the City Clerk communicate the above order to the said John Foster, and to George Hilman, Clerk of said company No. 15, and that the said Hilman be directed to call a meeting of said company, for the purpose of filling the vacancy caused by the discharge of said Foster.

Oil

Ordered, that the City Clerk cause to be published in the newspapers, that proposals will be rec'd until the second day of June next, for supplying the City with oil, viz: from five to six thousand gallons of summer spermaceti, and from four to five thousand gallons of winter pressed spermaceti, to be delivered to the Lamp Lighters monthly, in such quantities as may be required for lighting the City.

Boards and Lumber surveying

Ordered, that Aldermen Savage and Upham, with such as the Common Council may join, be a committee to consider and report, if it be requisite for the City Council to apply to the Legislature for any alteration of the laws respecting the surveying of boards and other Lumber. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Parker (Ward 10) Thos. Gould & Otis.

Adjourned to Monday next, four o'clock P. M.

AT a special meeting of the board of Aldermen, on Saturday the tenth day of May, Anno Domini, 1828. Present.

The Mayor, and the whole board of Aldermen, except Aldermen Pickering and Upham.

Representatives.

The board proceeded to examine the returns of votes from the several wards, given in on the eighth day of May, instant, for forty Representatives to represent the City in the next General Court, that being the number agreed upon by the City Council, and the following Gentlemen were found to have a majority of votes, viz.:

Benjamin Russell, Jacob Wall, David Sears,
Thomas Kendall, Heman Lincoln, Seth Knowles,
Samuel Perkins, James C. Merrill, Samuel Austin, Jun.
John B. Davis, Francis Jackson, David Lee Child,
Daniel Baxter, Junior, Henry H. Fuller, John S. Winthrop,
Francis Jobbs, Adam Bent, Franklin Dexter,
Samuel Appleton, William Barry, Israel Thorndike, Jun.
Winslow Lewis, Samuel E. Armstrong, Isaac Harris,
William Foster, George Wallet, Simon Wilkinson,
William P. Mason, Joseph T. Buckingham, John C. Gray,
Benjamin T. Pickman, John Lowell, Junior, John P. Bigelow,
Jonas B. Brown, Levi Bartlett, Edward Brooks, Edmund Kimball,
and Thomas Barnes. The return was made out & signed according to law.

Ordered, That the City Clerk issue notices to the several gentlemen elected to be delivered by a Constable according to law.

Adjourned.

1828.

At a meeting of the board of Aldermen on Monday the twelfth day of May, Anno Domini, 1828. Present.

The Mayor, and the whole board of Aldermen.

Salaries. An order to establish the salaries of the several officers of the City of Boston, and County of Suffolk during the current year. Came up for concurrence.

Read and concurred.

Little & Haskell. Bond street. Ordered, that the Mayor be authorized to cause a common sewer to be laid in Bond street, if he shall deem it expedient; notice having been given to all persons interested to appear, agreeably to the order of this board passed the fifth instant; on the petition of Little & Haskell, & others. —

Lee & Leighton. Spring street. Petition of Lee and Leighton, & others, owners and abutters on Spring street, representing, that said street is in a good condition to pave or macadamize; & praying, that said street be accepted by the City as a public street and highway, and recorded as such. Read and ordered accordingly.

Putnam. Second street. Petition of David Putnam, and others, praying, that Second street, leading southerly from Leverett street, be accepted. Read and thereupon ordered, that said street be accepted as one of the public streets and highways and recorded as such accordingly.

1813.

The committee on the petition of William Wentworth, reports, that the tops of the edge stones on Bond street, at the intersection of Bond and Crop streets ought to be placed seven inches below the top of the hammered foundation stone of the house at the corner of said streets on the easterly side of Bond street, and the northerly side of Crop street, and from thence to rise in the ratio of ten inches per hundred feet towards Hanover street. Read and accepted and ordered accordingly. Wentworth Bond & Crop streets.

Petition of Stephen Rhoades, & others, praying, that Court and Cambridge streets may be regularly numbered. Read and thereupon ordered, that the above mentioned streets be numbered agreeably to the ordinance regulating the same; commencing on the northerly side thereof, to be done under the direction of the Mayor, and Superintendent of streets. Rhoades Court & Cambridge streets.

Also Charter street be numbered, in the same manner. Charter St.

Communication of Charles Taylor, relative to his right, which he alleges he has to obstruct a drain at the end of North Allen street, which drain he is willing shall remain as it now is, upon the city's acknowledging his rights, and paying the value of a barley corn for the privilege. Read and committed to the Mayor, Aldermen Loring and Upham, to consider and report. Taylor North Allen St.

1814.

Weld's Portland st.

The committee to whom was referred the request of Benjamin Weld, that the elevation of Portland street might be fixed, report, have attended to the subject & ask leave to report; That to conform to the level heretofore fixed for Market street, it will be necessary to fix the bevels for the top of the edge stone on Portland street, at the intersection of Market street, ten inches below the top of the hammered foundation stone of the building on the north westerly side of Market street, and the northeasterly side of Portland street, belonging to Ebenezer Smith, and from thence to rise in the ratio of six inches per hundred feet to Sudbury street, which will carry the waste water on the surface of the streets into the tunnel; but as some of the buildings on Portland street will not admit of the street being raised to that height without great injury, your committee recommend that the above elevation of the edge stones be established in prospective with the understanding that the street will not be raised from its present level until the further determination of the surveyors of highways.

For the comtee Thomas Kendall

Read and accepted.

Armstrong Washington st.

Application of Samuel S. Armstrong, for leave to construct an arch under the side walk in front of the store that he is now building on Washington street No 50 Cornhill, on the usual conditions. Read and the prayer thereof granted.

Copy of a vote passed by the Board of Directors of the Mercantile Wharf Corporation giving further time for the City to construct a bridge over the Mill Creek to connect with Second Street (so called). Read and committed to Messrs Hall, Witham and Armstrong to consider and report. 345. Mer. Wf. Corp.

Ordered, That the Cows be permitted to go at large upon the Common from and after the first day of June next, upon payment of five Dollars each, and on the same regulations and conditions as heretofore established. Cows.

Petition of William Galbrow praying that the Board would reconsider their former vote whereby they revoked his License as a victualler, he being unable to attend the meeting to which he was summond in consequence of having his arm broken. Read and thereupon ordered that the Board will hear the same on Monday next, five o'clock P.M. Galbrow,

The committee on the petition of John H. Schaffer to hire a piece of land at the bottom of the Common to establish a Public garden, reported, That it is inexpedient to make the disposition of the Land prayed for by said Petitioner. Read & accepted. Sent down for concurrence. Schaffer

Came up concurred.

1816.

Treasurer's accounts.

The committee appointed by the City Council to examine and audit the accounts of the City and County Treasurer, have attended that duty, and find, that they are correctly stated and properly vouched, and that there has been received on account of the City, five hundred seven ty three thousand, two hundred and sixty seven dollars, & eighty seven cents; and that there has been paid on the same account five hundred, fifty thousand seven hundred, forty five dollars and fourteen cents, leaving a balance in favor of the City of twenty two thousand, five hundred and twenty two dollars, and seventy three cents. That there has been received on account of the County nineteen thousand, seven hundred, and thirty one dollars and eighty three cents, and that there has been paid on the same account forty thousand, six hundred, and thirty seven dollars, and six cents, leaving a balance against the County of twenty thousand, nine hundred, and five dollars, and twenty three cents, leaving a final balance in the Treasury on the thirtieth day of April last, of sixteen hundred and seventeen dollars and fifty cents. Of which was deposited in the City Bank to the credit of William Mackay, City Treasurer, in hundred, ninety four dollars and seventy seven cents; and in the hands of the Treasurer one thousand and twenty two dollars and seventy three cents. James Hall. Samuel S. Armstrong, Francis F. Oliver, Samuel Aspinwall, Committee. The foregoing report, read and accepted.

Sent down for concurrence.

Came up concurred.

The joint committee of the City Council, to whom was referred the memorial of the consulting Physicians of the City, have given to the subject the attention which its importance and the high character and services of the subscribers required, and respectfully report, That it will be always expedient to pay great regard to the suggestions which the learning, skill and experience of the consulting physicians may enable them to offer; & the committee concur with the memorialists in the opinion that the removal of patients affected with the small pox, a distance of six miles over the water, particularly in the winter season, may sometimes be dangerous, and in such cases the committee presume the Mayor and Aldermen would not direct such removal, as these officers may have the consultation and advice of the consulting physicians in each particular case; and the committee further concur with the memorialists, that, when the intervention of ice renders the removal of patients impracticable, they must be retained in town; but the committee are happy to add, that adequate provision is made by law, to avoid, what the memorialists apprehend the great hazard of spreading the small pox; The committee think it may be useful to refer to the statute of 15 March 1793, by section fifth of which it is provided, "That when the small pox shall unexpectedly break out in any town or district, the Selectmen shall have power, and it shall be their duty immediately, to provide such hospital or place of reception for the sick and infected, as they shall judge

1817.

Consulting Physicians.

1818. judge best for their accommodation and the safety of the Inhabitants" and also that "such hospitals and places of reception shall be subject to the orders and regulations of the Selectmen" and further that "the said Selectmen shall cause such sick and infected persons to be removed to such hospitals or places of reception, unless the condition of the sick person should not admit of removal without danger of life; in which case, the house or place where the sick shall remain, shall be considered as an hospital to every purpose before mentioned; and all persons residing in or in any way concerned with the same, shall be subject to the orders and regulations of the Selectmen," and by section 6. of which it is provided, "that in all the cases above mentioned, it shall be the duty of the Selectmen to use all possible care to prevent the spreading of infection, and to give public notice to travellers of infected places", and adequate penalties for any violations of regulations are provided.

Consulting Physicians.

The committee are satisfied that another objection of the memorialists, "that Patients performing quarantine are exposed to the small pox" has not in former cases been well founded, nor do they imagine, that any well founded apprehension need be felt for the future. The committee do not therefore see fit to adopt the recommendation of the memorialists, "that a suitable place in the vicinity of Boston should be procured, in a situation similar to that of the former small pox hospital of Dr Aspinwall;" because they do not find, that more than two cases have occurred, within five years, in which the patients could not safely be removed, and in one of them the

patient

patient was actually removed to Hospital island in three days after the advice of the Physicians against removal, a happy change in the circumstances of the disease permitting the same advice to be reversed; and because they believe that the result of measures of precaution so extensively adopted in the City will not probably expose us to a greater number of cases in which it may be dangerous to remove the patients to Hospital Island, for as many years more to come, and the expense of maintaining such a permanent establishment is altogether disproportionate to the expense and evil of such few unexpected occurrences. The committee fully concur in the opinion of the consulting Physicians in the close of their memorial, that "the visitation of small pox patients in Boston should be conducted with great precautions"; but the committee are perfectly satisfied that this whole matter is already well provided for by the ninth section of the ordinance establishing and regulating the quarantine & vessels, for although it be provided, that the Mayor and Aldermen may place their responsibility on the opinion of a majority of the two Physicians as to removal or non-removal of any person sick with contagious or infectious disease, which opinion must be in writing, yet it was never the design of the ordinance to prescribe to the discretion or humanity of the Physicians, in what manner they should form an opinion, but how it should be expressed. It may easily be conceived, that cases may occur in which a majority of the consulting Physicians may sign an opinion advising the removal or non removal of any

Consulting Physicians

patient

Voted, though some of them may not have seen him, but rely on the statement of the Symbols by one of more of their colleagues. Wherefore the Committee conclude, that it is not expedient to take any further measures in the premises.

Jas. Savage, for the Committee.

Read & accepted. Sent down for concurrence.

Came up concurred.

Webb. Franklin Sch. fund.

The Mayor reported, that on the twenty fourth day of April, last, he paid to Samuel F. W. Seavy, City Clerk, one thousand dollars, being the legacy received of the Executors of the will of Rufus Webb, to be loaned by the City Clerk, in conformity to the vote of the Board of Aldermen, passed on the twenty first day of said April, and produced his receipt for his discharge. Read & committed to Aldermen Savage and Hall, to consider and report.

Latin School fund.

The Mayor also reported, that he had paid to William Mackay, Esq. City Treasurer, six hundred and twenty five dollars, to be put out to interest for a prize fund for the Latin School, being the amount received of B. F. Gould, the master of said School, and produced the receipt of the Treasurer therefor.

Putnam— Second st.

Ordered, that a common sewer be laid in Second Street (West Boston) agreeably to the petition of David Putnam and others.

The committee upon the petition of Elijah Share with respect to the line of Warren and Eliot streets in the Ward where he is about building reported that the line of the street is at present satisfactory and that being confident in this opinion the proprietor has proceeded in the erection of his building at his own pleasure.

Read and accepted.

151.
Share
Warren & Eliot Streets.

The Superintendent of streets reported several streets as out of line which it is necessary to have and retain the present season and the expense of the same. Read and thereupon ordered that the Superintendent proceed forthwith to the having and retaining the several streets named in said schedule and that certain others therein designated be postponed until further order.

Streets having reports.

Communication of David Greenough relative to cutting off two estates to widen Washington street. Read & committed to the Mayor to consider and report.

Greenough
Washington St.

Mr. Waters came up with the following members elect of the common council viz: James L. S. Oreck Ward No. 3, George Washington Adams Ward No. 4, Robert Treat Paine Ward No. 10 and they took the several oaths required by law before the Mayor to qualify them to take their seats in said Council. After which the Gentlemen retired.

Common Council qualified

Adjourned to Monday next four o'clock P. M.

At a meeting of the board of Aldermen on Monday the nineteenth day of May. Anno Domini, 1828. Present.

The Mayor, and the whole board of Aldermen except Aldermen Pickering and Upham.

Parker Spiritous Liquors Common Malls

Upon the petition of Isaac Parker, Artemas Ward, Peter O. Thacher, Henry Orne, William Simmons, Benjamin Whitman, and thirteen hundred and ninety other citizens, praying, this Board to take measures to ~~prevent~~ prevent the sellers of spiritous liquors on the Common on public holidays.

Ordered, That the Constables of this City be specially directed to prosecute any person or persons who shall upon the Common, in the Malls, or in any streets of the City contiguous thereto, sell any spiritous liquors, or any mixed liquors, part of which is spiritous, or who shall upon any of said places, play at cards, dice or with any implements used in gaming on the days of general election, artillery election, and the fourth day of July.

Tents &c.

Ordered, That before granting permission for the erecting of any tent, booth, stall or table, for the sale of any refreshments in the places mentioned in the foregoing order, the Constables of this City be specially directed to give notice to any and all persons applying for such permission of the foregoing order, and that printed notices be distributed in suitable places, and that the same be published in the newspapers, that all persons interested may govern themselves accordingly.

Petition of James Pierce, and others, Constables of Boston, for the use of the Common, &c. the several holidays as in former years. Read and thereupon ordered, that they have the care of the tents on the Common as heretofore granted, subject to the foregoing order. 153. Constables Tents.

Upon the petition of the Ancient and Honorable Artillery company. Ordered, that said company have the use of Faneuil Hall, on their approaching anniversary election of officers, on the first monday of June next, for the purpose of their annual dinner. Anc. & Hon. Artillery.

Ordered, that the Mayor be authorized to take in behalf of the City a lease of a piece of land, on Hanover street, nearly opposite the Hancock School house, for the purpose of erecting thereon an Engine house, said lease to be given by Daniel Badger and others, to the City; to hold for the term of ten years. Badger Engine house Hanover st.

Petition of James How, and others, Inhabitants and owners of real estate on and about Fort hill, praying, that the old pavement in Oliver street may be removed, the street filled up in some places, and cut down in others, so as to preserve an inclined plane from Milk street to the top of the hill, where said street intersects High street & then to cause it to be paved anew, with side walks. Read & committed to Aldermen Kendall and Pickering to consider & report. How. Oliver street

Auditor of accounts annual exhibit.

The auditor of accounts exhibited his annual report of the receipts and expenditures of the City, for the financial year, which commenced on the first day of May, 1827, and closed on the thirtieth day of April 1828. Read and thereupon ordered; that the auditor of accounts, be and he is hereby directed to cause six thousand five hundred copies of the annual report of receipts and expenditures of the last financial year, and the estimates of the current year together with a particular statement of all City property, to be printed and distributed for the information of the Inhabitants of the City.

Sent down for concurrence.

Came up concurred.

Orator 4th July

Bradford Sumner, Esqr. was nominated and appointed the orator to pronounce the oration on the next anniversary of the declaration of Independence: And the Mayor was requested to notify him thereof.

Auditor of accounts.

The board proceeded to elect by ballot on its part an Auditor of accounts, and the votes being taken, it appeared that William Hayden, Junior, was unanimously chosen.

Sent down for concurrence.

Came up concurred.

Stinson Constable

Archibald Stinson is nominated and appointed a Constable until the appointment of Constables in July next.

The board proceeded to elect on its part, a superintendent of burial grounds, and the votes being taken, it appeared that Samuel Hill Hewes, was unanimously chosen. Superintendent of burial grounds.

Sent down for concurrence.

Came up concurred.

Ordered, that the following persons be and hereby are appointed Surveyors of boards and other lumber viz: Wm Clouston, Nathaniel Bradlee, Noah Doggett, Wm Green, John Howe, Richard Thayer, Henry Blake, Samuel Ellison, Eleazer Homer, Moses Eayrs, Rolin Hartshorn, Thomas Barry, Jere Loring, Samuel Waldron, Seth Thaxter, Josiah Haskell, Wm Sims, Warren Fowler, Eliakim Richards, Amasa G. Smith, Jonathan Loring, William Mills and Oliver Mills. Surveyors of board & lumber.

Also, that the following persons be & hereby are appointed fence viewers, viz: Nathaniel Bradlee, Romanus Emerson, Abel Hewins, Rolin Hartshorn and John Howe. Fence viewers.

Also, that the following persons, be & hereby are appointed Culliers of fish viz: Benjamin Clark, Nathaniel Howe, Benjamin Lewis and Charles L. Poole. Culliers of fish

Also, that the following persons be and hereby are appointed Culliers of hoops and staves, viz: James Brown, Benjamin Clark, Nathaniel Howe, Chas L. Poole. Culliers of hoops & staves.

Also, that Michael Homer, Francis James & Samuel Sprague be and hereby are appointed inspectors of lime. Inspectors of lime

Also, that John Wells and Lewis Sumner be and hereby are appointed Assay masters. Assay masters.

Also that Samuel Emmons & Benjamin

Surveyors of hemp. Rich be and hereby are appointed Surveyors of hemp.

Also that James Ellenwood, William

Hawards &c. Andrews and Bennet Ford be and hereby are appointed hog

reeves, haywards and field drivers.

Pound keepers Also that Samuel Phillips and William

Andrews be and hereby are appointed Pound Keepers.

Sent down for concurrence.

Come up Concurred.

Clk. of H. Market Caleb Hayward was nominated and

appointed Clerk of Faneuil Hall Market.

Sealers of weights & measures Samuel Veals and James Hendley, were

nominated and appointed Sealers of weights and measures.

Weigher of boats & lighters. Caleb Loring, Junior, was nominated and

appointed weigher of boats and lighters.

Criers James Wilson, was nominated and appointed

a Common Crier for the City.

City Marshal Benjamin Pollard, Esq. nominated as City

Marshal, Scythingman and Constable.

Cows. Ordered, that the time that Cows shall

Commence going upon the Common be the first Tuesday of June next.

John Redman gives notice that he is about building on a vacant lot of land situated on the east side of Washington Street, between the estates of Thompson & Bradlee near Bedford Street Read and thereupon resolved, That the safety and convenience of the Inhabitants require that Washington Stuet be widened and the same is laid out and widened in manner following viz: Beginning at a point in a line of the front of the block of buildings at the corner of Avon place and Washington Street, continued, one inch distant Southerly from the land of Thompson; thence running Southerly on said line continued about twenty two feet to a point one inch distant southerly from the land of Mrs. Sarah Parker; thence running westerly about four feet, three inches, parallel with said line of said Parker's land to the present line of Washington Street, thence northerly by said line of said street about twenty two feet, to a point one inch distant southerly from said land of said Thompson; thence easterly parallel to said Thompson's land about four feet, two inches to the place of beginning; taking from said Redman ninety three square feet of land.

Redman
Washington St.

Petition of Ivan Babcock, and company, praying to be employed to erect a platform balance, invented by Mr. Darborn; for weighing hay, near Charles Street. Read & committed to the committee who have under consideration the subject of erecting hay scales, to consider and report.

Babcock
Hay scales.

John Kennedy, 2nd. licensed as an Auctioneer, place of business No. 46 Long wharf.

Auctioneer

Munroe Clocks.

Petition of Daniel Munroe, praying an allowance for cleansing and repairs of two of the City Clocks, in addition to the sum allowed him for taking care of the same. Read and committed to Aldermen Loring & Upham to consider and report.

Clocks

Ordered, that the committee on the subject of engaging a person or persons to take charge of the public clocks be authorized to agree to pay therefor a sum not exceeding twenty five dollars, for each clock per annum.

Thayer Short Street.

Ordered, that the subject of extension of Richard Thayer's lease of a piece of land, lying at the end of Short Street, be referred to the Mayor, Aldermen Savage & Hale to consider and report.

Office in Old State House

Ordered, that Aldermen Loring & Kendall be a committee, with authority to lease the office at the east end of the Old State House, lately occupied by the Merchants Insurance Company.

Parkman Vine St. &c.

Petition of George Parkman and others, praying, that the gutters of Chamber, Green, Eaton, Vine and Bloson streets may be so altered as to prevent injury to the houses recently erected on the south side of Vine street. Read and committed to Aldermen Loring and Upham, to consider and report.

Communication of John Sullivan, stating that he and others are making arrangements for purchasing the estates near the corner of Green Dragon lane, owned by Z. Hicks, and by the heirs of Abram Babcock, and to erect a meeting house thereon; and praying leave to build on the lines drawn in pencil on a plan taken by S. F. Fuller, bearing date 12th May, 1828. Read and thereupon Resolved, that in case John Sullivan and others, shall purchase certain estates on Hanover street, belonging to Zechariah Hicks, and the heirs of Abram Babcock, for the purpose of erecting thereon a meeting house, the Surveyors of Highways will not lay out or widen any street, so as to reduce the line of said estates below seventy two feet on said street. Sullivan Hanover street.

Ordered, that the Mayor Alderman Armstrong be a committee with authority to settle with John Spence, for rent of a building lately belonging to the City on Ann street, and if they cannot agree, then to refer the subject matter of difference to arbitrators. Spence Ann street.

The committee to whom was referred the petition of James C. Ewer, Junior, and George W. Ewer, have attended to the same, and report, that the prayer of the petitioners be granted, and that the City lease the land for five years. The rent to be one hundred and fifty dollars per year, the rent to be paid quarterly; said Ewers to make all repairs, & if the City wish to rescind the contract, they have the right so Ewer

1860. to do; after two years; the City having in such case to said Ewers, the sum of twenty five dollars. Rob.t Tennelly, Chairman.
Read and accepted. Sent down for concurrence.
Came up concurred.

Webbs legacy. The committee of the board of Aldermen, who were directed to ascertain the manner of investment and degree of security of the legacy of Rufus Webb, of the sum of one thousand dollars, Reboit, that on the same day, twenty fourth Inst., April last, on which the said sum was by the Mayor paid over to the City Clerk, conformable to the vote of some days preceding, no offer having been received to borrow said money, Samuel F. McCleary, the City Clerk, gave his note for the same sum, payable in two years with interest semi-annually, secured by a mortgage on estate of adequate value in the city, which the Register of deeds declares to be free from prior incumbrance, that said mortgage is duly recorded and with said note is now in the hands of the auditor of accounts, with all which the committee are well satisfied.
Jas. Savage, for the Com.tee
Read and accepted.

Hatch Sea street. Petition of Jabez Hatch, and others, to have Sea street widened near the place where Solomon Piper is now building. Read and committed to Aldermen Savage & Hall to consider & report.

Adjourned to Monday next, four o'Clock P. M.

At a special meeting of the board of Aldermen, on Tuesday the twentieth day of May, Anno Domini, 1828. Present—

The Mayor & the whole board of Aldermen.

Petition of George Holbrook for George Handel Holbrook, to purchase a lot of land, belonging to the City on the Neck. Read and committed in Common Council to the committee on Neck lands, to consider and report. Holbrook.

came up for concurrence.

Read and concurred.

Application of Jonathan Harrington, of the age of eighteen years only, to be licensed to exhibit his shows as a ventriloquist, at Concert Hall, on Wednesday evening, the 28th. instant. Read and the prayer thereof granted, on his paying therefor the sum of two dollars. Harrington Ventriloquist.

Petition of John A. Perkins, & others, stating, that the common sewer in Prospect street is filled up and requires cleaning. Read, and thereupon ordered, that the common sewer be taken up and repaired, and the expense thereof assessed upon the petitioners. Perkins Prospect st.

Adjourned to Monday next, four o'Clock, P. M.

At a meeting of the board of Aldermen, on Monday, the twenty sixth day of May, Anno Domini, 1828. Present.

The Mayor, and whole board of Aldermen except Alderman Wiskering.

Assistant Assessors Ward No. 1.

Order of the common Council appointing Messrs. Benjamin Seaver, and John W. Trull, assistant assessors for Ward No. 1. in place of Jeremiah Fitch and Lorenzo Draper who decline serving.

Came up for concurrence.

Read and concurred.

Rust Bond street.

Petition of Jacob Rust, in behalf of the owners of estate near Charles river bridge, praying, that the bounds of Bond street which passes through their said estate may be correctly and permently defined. Read and committed to the Mayor, Aldermen Kendall and Armstrong, to consider and report.

Eliot School house

Ordered, that the Mayor, Aldermen Hall, Upham, Kendall and Armstrong, be a committee with instructions to inquire 1. into the state of the roof upon the Eliot School house, and whether it requires any repair; and if any, what will be the expense of such repair. 2. To inquire into the necessity or advantage of raising the Eliot School house another story, as it respects the Eliot school, and whether any important benefit to the school would result from such proposed raising. 3d. To inquire into the uses to which in case of the proposed raising, the

lower

lower space may be put, and to consider how much is wanted for an engine house, and the convenience which would result from it, and for what object the residue of the space is required. 2. To inquire into the cost of the proposed raising, and of fitting up the room destined for an engine house, & also of fitting up the remaining room. 1163.

Petition of Alexander Stewart for compensation for land taken to widen Common street, in the year 1827. Read and committed to Aldermen Savage and Hall, to consider and report. Stewart Common street.

Petition of Charles French, and others, stating, that the common sewers in Essex street, between Washington street, and the Essex street Church, and in Front street, between Essex street and Beach street, they therefore pray, that they may have liberty to enter their drain into the common sewer leading from Essex street down Front street, and pay a reasonable proportion of the expense of making it. Read and committed to the Mayor, to consider & report. French Essex street.

Application of John H. Schaffer, to exhibit fire works at the Washington garden, on occasional nights during the ensuing summer. Read and the prayer thereof granted so far, as that he shall be permitted to display fire works on the evenings of Wednesday and Monday next, under such restrictions as the Mayor shall prescribe. Schaffer Washington garden.

1824.

Codman Camera Obscura

Application of John Codman for a license to exhibit his Camera Obscura, on the Common, the several public days. Read and the prayer thereof granted, he paying therefor one dollar per day.

Myers Panorama

Application of John Myers, for a license to exhibit a panorama, all in brass work and representing the busy scenes of a populous city and harbour for one month at a room in Scollay's buildings. Read and the prayer thereof granted, on paying therefor ten dollars.

First Baptist Ch. Hanover & Union streets.

Upon the petition of the proprietors of the first Baptist Church among other things praying that in case they should purchase the Babcock estate, they might be assured of the terms on which the land belonging to the City which shall fall within the lines of their proposed Church, marked on S. P. Fuller's plan, dated 12th May, 1828, may be obtained. Resolved; That in such case the City will cause a sufficient deed of all the land so falling within the lines of their proposed Church ~~extended~~ free of expense to be made to said proprietors, on condition, that all the land east of said proposed line of their Church extended to Hanover street, which the said proprietors shall purchase be quitclaimed to the City for a public highway; and the City on its part will cause all its remaining land east of the said proposed Church to be added to the street also as highway. Sent down for concurrence.

Came up concurred.

Ordered, that in case the proprietors of the first Baptist Church shall purchase the Babcock estate, and set back their building, one line of their estate five and a half feet on Hanover street, that the Surveyors of highways will allow one dollar and fifty cents a square foot for the length of seventy two feet, that is for all the land, which lies southerly of the whole front line of their proposed building on Hanover street, the same being three hundred and ninety six square feet, amounting to five hundred and ninety four dollars, and the City will not require the proprietors to set their house farther than five and a half feet from Hanover street. First Baptist Ch. Hanover street.

Petition of Jonathan Hastings, and others, proprietors of estates on that part of Chamber street, formerly called Wiltshire and Grave streets, praying that the same may be accepted as a public street and highway, and that the whole may bear the name of Chamber street. Read and the prayer thereof granted, and the same is accepted & created a public street and highway accordingly, to bear the name of Chamber street. Hastings & Chamber st

Petition of John Allen, and Cushing Nichols, to purchase a piece of land, belonging to the City, situated on Merrimac street, and a short street near the bottom of Portland street. Read and committed to Aldermen Kendall and Upham, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up, Allen

1846. concurred, and the Common Council joined on its part, Messrs Lane, Frederick Gould and Tufts.

Eliot Hotel

Memorial of William H. Eliot, in behalf of himself and his associates, stating, that they have obtained a lot of land on Common street, between Beacon street, and the burying place, on which they contemplate the erection of a spacious and elegant hotel. Wherefore they pray, that such aid may be afforded by the City government to the accomplishment of the plan as may be deemed proper. Read and committed to the Mayor, Aldermen Loring and Armstrong with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs Bellknap, Wilson Parker (W. 5th) and Gray.

City debt reduction of

The committee on the reduction of the City debt, made their final report of their transactions during the last financial year. Read and accepted and thereupon ordered, that the same be printed with the annual report.

Sent down for concurrence.

Came up concurred.

Surveyor of Boards

Ordered, that Aaron Wallis be & hereby is appointed a surveyor of boards & other lumber, for the year ensuing.

Sent down for concurrence.

Came up concurred.

The committee on the petition of Jabez Balch, and others, in relation to widening Sea street, Balch Sea street.
that a line advantageously be adopted as the easterly line of Sea street by running a line southwesterly from a point fifty feet southeasterly from the side of the new brick church, at the southerly end at right angles and continuing the same to the corner of Drake's new brick house at the northerly end where the street will then be found only thirty eight feet, eight inches, and the committee find that all parties will be content with such line, and that Wm. Piper will gladly adopt said line and set back his contemplated building to conform thereto, if said line may be extended and therefore the committee advise, that the owners of estates on both sides be required to set back their buildings between said Drake's house and Summer street, without expense to the City; otherwise said Piper be not set back

Da. Savage.

Read and accepted, and referred to the Mayor to have the proper papers drafted.

The subject of reconsideration of the vote of this board revoking the license of a victualler heretofore granted to William Calhow, being again under consideration, and after discussion the question being taken, it was decided in the negative. Calhow

Edward F. Hall, nominated and appointed an Auctioneer, place of business No. 88 Water street. Auctioneer

City Solicitor concerning a Writ[illegible]

Communication of C. P. Curtis, Esq. City Solicitor, stating, that the action brought by John Lewis, against Hiram Hopkins, one of the City Watch, for an alleged assault and battery, which he was instructed to defend, had been brought to trial, and after the evidence had been introduced, the plaintiff by leave of Court became nonsuit, and judgment was rendered against him for costs, and that he was committed to prison on the execution, where he now remains. Whereupon the Solicitor prays instructions on the subject, as to the propriety of keeping him confined. Read and thereupon ordered, that the subject be referred to the Solicitor and that he be instructed to use his discretion in relation to the same.

City Solicitor instructed to dismiss writ of right in favor of Suffolk.

Ordered, that the City Solicitor be instructed to dismiss the writ of right, in such manner as he shall deem expedient, which was brought by the County of Suffolk against certain persons for the right of enjoying the flats appurtenant to the upland belonging to said County, on Leverett street, unmolested.

Adjourned to Tuesday the third day of June next, half past three o'clock, P. M.

At a meeting of the board of Aldermen, on Tuesday the third day of June, Anno Domini, 1828. Present.

The Mayor, Aldermen Loring, Tennelly, Savage, Hall and Armstrong.

The committee of the City Council who were directed to consider, if it be requisite for the City Council, to apply to the Legislature for any alteration of the law respecting the surveying of boards and other lumber, have deliberately examined the subject & respectfully report, that in their opinion it is highly desirable that the City Council should apply to the Legislature for an amendment of the law in this behalf, inasmuch as the law points out no discrimination to be used by the surveyors of boards, between varieties of different value in the same species, and they recommend the adoption of a petition herewith submitted. Jas. Savage, for the committee. Surveying boards Lumber.

Read and accepted, and thereupon ordered, that the Mayor be authorized to sign said petition, and cause it to be presented to the Legislature for that purpose. Sent down for concurrence. Came up concurred.

Order of the Common Council, appointing Samuel Snelling, Junior, an assistant assessor for Ward No. 6. No. 6. Came up for concurrence. Read and concurred. Assistant assessor Ward No. 6.

Resident Phys.

The board proceeded by ballot to the choice of a resident physician at Hospital Island, for the current year; the votes being taken it appeared that Jerome V. C. Smith, M. D. was unanimously chosen.

Sent down for concurrence.

Came up concurred.

Consulting Physicians.

The board proceeded by ballot to the choice of five consulting Physicians for the current year and the votes being taken it appeared that Doctors Thomas Welsh, John C. Warren, John Gorham, Benjamin Shurtleff and George Hayward, were chosen.

Sent down for concurrence.

Came up concurred.

City Att'y & Solicitor

The board proceeded by ballot to the choice of an Attorney and Solicitor for the City, the current year; and the votes being taken, it appeared that Charles P. Curtis, Esquire, was unanimously chosen.

Sent down for concurrence.

Came up concurred.

Lincoln Merrimac St.

Petition of Levi K. Lincoln, to purchase a tri-angular piece of land, belonging to the City lying between said Lincoln's house and Merrimac street, or so much thereof as the City Council may be willing to dispose of. Read and committed to Aldermen Kennally & Armstrong.

Armstrong, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Lane, Tufts and Frederick Gould. 1841.

The several propositions to supply the City with oil, for lighting the Street Lamps, being opened and read, thereupon ordered, that the proposition of Joseph P. Bradlee being the lowest, be accepted viz: Winter oil seventy four cents and Summer oil sixty three cents per gallon, in casing five cents per gallon for drawing, to be delivered to the Lamp Lighters in such quantities as may be ordered & receive his pay monthly. Oil

Petition of Edward Reynolds, and others, praying, that a Constable may be stationed on Fort hill, on Sundays, during the warm season; for the purpose of prohibiting boys and girls, doing damage to the Mall; or otherwise making riots and noise and disturbing the Inhabitants of that section of the City. Read and thereupon ordered, that the Mayor be authorized to employ a Constable as prayed for until the further order of this board. Reynolds Fort hill

The committee on the burial grounds ask leave to represent, that they have received from the Superintendent, a communication stating the necessity of, and the advantages to be derived to the City from the erection of a large South burial ground Tomb

Tomb

1822. Tomb in the South burying ground for the exclusive purpose of interring Children; and also stating, That the receipts into the treasury from a tomb in the Granary burial ground appropriated to a similar use, and which is now nearly fully were from the tenth of September 1826. to the sixteenth of April, 1828. two hundred and eighty seven dollars. This Committee therefore are of opinion that it will greatly accommodate a certain class of the Citizens, and will also promote the interest of the City, if such a tomb is erected in the South burying ground: That it should be of granite stone, and divided into four apartments. The expense according to the communication of the Superintendent will be refund into the Treasury in three or four years and will subsequently produce a proportionate income to the City. The committee therefore respectfully recommend, that a sum be appropriated for the purpose not exceeding eight hundred dollars, to be taken from any fund not already appropriated to other purposes. Respectfully submitted

Robert Tennelly, Chairman

Read and accepted, in Common Council, and thereupon ordered, that there be appropriated for the erection of a tomb in the South burying ground a sum of money not exceeding eight hundred dollars, the same to be withdrawn from the reserved funds.

Came up for concurrence.

Read and concurred.

Piper, Sea Street.

Ordered, that the Mayor be authorized to inform Mr. Solomon Piper, that he may proceed in his building on Sea street on the line of his lot.

1873.

It appearing to this board, that notice has been given on the petition of John S. Perkins, and others, praying, that the Common sewer in Prospect Street may be taken up and repaired, and the expense thereof assessed upon those who shall be benefitted thereby. And now no person appearing to object, it is thereupon ordered, that the prayer of the petition be granted, the same to be done under the direction of the Mayor, and the Superintendent of Streets &c.

Perkins
Prospect Street.

The Mayor communicated a letter he received from Benjamin Gorham, Esq. member of Congress from this district, stating, that a bill entitled "An act to authorize the improving certain harbours, the building of piers, and for other purposes" had become a law, and contains an appropriation of eighty seven thousand dollars, for the preservation of Deer Island in Boston harbour: and that the war department will be ready upon application of the City authorities to give the necessary orders. Read and thereupon ordered, that the Mayor address a letter to the War department, expressing the sense of the City Council on the importance of an early commencement of the work for the protection of Deer Island and praying the co-operation of the City in all measures necessary for its early completion. Sent down for concurrence.

Came up concurred.

Deer Island

Petition of John Sullivan, in behalf of the first Baptist Church and society in Boston, stating, that the

Sullivan
1st Bap. Chh.

Wm. The quantity of land to be taken from the estates of Z. Hicks, and the heirs of A. Babcock to widen Hanover street is about sixty feet more than the appropriation was calculated to cover. They therefore pray, that this board would so far reconsider their former vote as to extend the appropriation so as to cover all the land to be taken to widen Hanover street, commencing at the corner of the building now standing on Babcock's estate. Read and the prayer thereof granted; and this board do so far reconsider their former vote as to embrace said piece of land contemplated to widen Hanover street, according to A. D. Fuller's Plan.

Leases examin. Ordered, that Aldermen Loring & Hall be a committee for the purpose of examining several leases which have expired; and that they be authorized to renew them or lease the premises to other tenants.

Munroe. Old State House. Ordered, that the committee appointed to lease the easterly room in the old State house, be authorized to let the same to Edmund Munroe, for one year, for the rent of four hundred and fifty dollars, to be paid quarterly.

Durell Spring st. Petition of Elizabeth Durell & others, owners & abuttors on Spring street, praying, that a piece of land belonging to Charles Moore, may be taken for the purpose of widening said street. Read & committed to Aldermen Loring & Upham, to consider & report.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Alder-
men on Monday the ninth day of June Anno Domi
ni 1828.

Present

The Mayor and the whole board of Aldermen.

The committee of the board of Alder- Eliot
men to whom was referred the order which passed the Com School house.
mon Council on the twelfth of May, appropriating the sum
of twenty seven hundred dollars, for the purpose of raising the
Eliot school house, and fitting the same up as a school room;
also for putting on a new roof and shaling the same and
who were instructed by the order of the board of Aldermen,
dated the 26th of May last to make the several inquiries
specified in that order, having attended to that service, respect-
fully Report, That the Eliot School house, has within the
last year, so far as it respects its interior arrangements
and accommodations been thoroughly altered and repaired, at
an expense exceeding thirty two hundred dollars, under the
direction of the City Council; that the alterations and ar-
rangements have been made with reference to the entire ac-
commodation of that School; both as it respects light and
convenient place; and your committee confidently report
that there is no complaint made in relation to the con-
venient accommodation of the scholars of that school, in
either respect, nor, with justice can be; it being as sat-
isfactory, probably, as any school in the City and more
so than some. Under these circumstances, to enable the

Children

1776. children of that school, for the purpose of taking off the
roof, for at least six weeks, in the opinion of your com-
Eliot School house mittee cannot be justified except on very obvious necessity;
and would be a cause of just complaint among the
parents of these children, when it is considered they have
been already within the past year separated and taught
under an inconvenient circumstances during five months,
since the recent repairs were effecting. With respect to the
objects proposed by such raising of the roof, at so great an
expense as the appropriation indicates, the order of the Com-
mon Council makes no specification; Your committee have
therefore no other means of knowledge concerning them except
conjectures derived from former endeavours to effect the same
purpose and stated in repeated petitions on the files of the
City Council. According to these the roof of this school house
ought to be raised, 1. Because it wants repair. 2. Because
the space gained by it in the lower story would be con-
venient for a primary school, or an engine house, or a ward
room. As to the roofs wanting repair, your committee have
caused it to be recently and thoroughly examined by Mark
Weare and James Page, two among our most distinguished
mechanics; their report is subjoined; by which it appears,
that it wants shingling a new; The expense of which
would be one hundred and seventy five dollars, it slated
two hundred and eighty dollars, with that expenditure it
would be good and lasting, probably thirty years. On this
account therefore, the roof does not require to be raised.—

With

With respect to applying the space proposed to be obtained for a primary school room, your committee apprehend that these schools ought not to be brought over under the same roof with our grammar and writing schools. Five hundred children of which those schools may be estimated to consist are quite sufficient to be brought daily within the sphere of one building. In a recent instance application has been made for the use of the lower story in the Franklin school house for a primary school; but has not been granted in consequence of the earnest remonstrances of the masters of that school, who apprehended great inconvenience and confusion should eighty or a hundred children between four and seven years old be introduced into the same building with the children of their schools. It seems therefore inexpedient to raise the story of the school house on this account. With respect to raising it for the sake of obtaining space for an engine house, your committee need only recur to the many difficulties well known to the board of Aldermen which have occurred with respect to engines located in school houses, and which it is believed have satisfied them of the inexpediency of those associations. And with respect to economy, it is sufficient to state that by the application of sixteen hundred dollars, eleven hundred dollars, (to which the present appropriation) a lot may be purchased in a satisfactory location and an engine house erected. On this account, therefore, this roof ought not to be raised. The only remaining object of the proposed

Eliot School house

178.

Eliot School house

proposed raising is the obtaining a ward room; and from the evidence on the files of the City Council, it is very apparent that this is the true object of this appropriation. Upon this subject, your committee will add nothing to the full development of the interests of the City, and of the inexpediency of providing ward rooms in every ward, detailed in a report made to the City Council by a committee, & accepted by both branches on the thirtieth of July, last. Ward rooms have been petitioned for and denied to other wards. The ward rooms, which exist in four of the wards were obtained incidentally in the course of building for other purposes. If it is the intention of the City Council to proceed systematically and provide each ward with a ward room, the notice ought to appear on the face of the appropriation, that other wards may know their rights. Considering all the circumstances connected with this subject and above all, the great injustice to the children of that district by again and so speedily unsettling that school, your committee are compelled to recommend a non concurrence with the order of the Common Council.

By order of the committee: Josiah Quincy, Chairman.

Ordered, That the sum of twenty seven hundred dollars, be and the same hereby is appropriated for the purpose of raising the ~~xxxx~~ Eliot school house one story, & fitting the same for a school room, also for putting on a new roof, and slating the same: And that the said sum of twenty seven hundred dollars, be withdrawn from the reserved

fund

fund. Came up for concurred Read & nonconcurred 1770.
agreeably to the report of the committee of the board of
Aldermen.

An ordinance relative to the election City Marshal
and duties of the City Marshal. Came up for concur-
rence. Read and nonconcurred by a unanimous vote.

Petition of Andrew Moore, together with Moore
the memorial of the Overseers of the House of Correction, House of Correct.
with respect to said Moore, a keeper of said house who
asks additional compensation for his services. Read and
committed to the committee on the gaol, to consider &
report.

Petition of the Fifty associates, praying Fifty associates.
leave that the edge stones be set in front of the land
of Frederick Tudor, Esq. in the court leading from Court
street southerly. Also praying liberty to dig a well in
said Court, for the use of their houses therein. Read &
committed to Aldermen Loring and Oliver, to consider &
report.

Petition of the standing committee South Congl.
of the South Congregational Society, stating that they have
caused a clock with three dials to be constructed by an
experienced workman, and placed in the tower of their church,

Wherefore

180. wherefore they pray, that the said clocks may be taken in charge by the Corp., and kept in repair, wound up and regulated in the same manner as the other public clocks. Read and committed to Aldermen Savage & Field to consider and report.

Curtis — Petition of Nathaniel Curtis, Executor of the will of Ward Nicholas Boylston, Esquire, deceased, stating that the water from the roof of the Latin school house, by reason of their being no gutters to the eaves of said building is thrown over and upon the premises of said deceased, and adjoining said school house. Wherefore he prays, that said nuisance may be removed. Read & committed to Aldermen Loring and Upham to consider & report.

Maelzel, Chess player & Moscow — Application of John Maelzel to be licensed to exhibit his automaton chess player, the burning of Moscow, &c. for two months, at Julien Hall. Read and the prayer thereof granted on paying therefor five dollars per week, commencing 31st ultimo.

Southwick Seals & Iguanas — Application of Gaylor L. Southwick to be licensed to exhibit two live seals, and two live iguanas, for two or three weeks. Read and the prayer thereof granted until the further order of this Board, paying therefor two dollars.

The committee on the applica- Kuhn.
tion of George A. Kuhn, report, that they have given him
permission to place a cistern in the rear of the Court house,
on the same conditions as those required of him for placing
a cistern in Chatham street. Read and accepted.

The committee on the petition of Parkman.
George Parkman, and others, praying, that the water may
be prevented discharging from the gutters in Chamber, Green,
Eaton, Pine and Bolton streets. Report, that the petition-
ers have permission to drain their land into the common
sewer; provided, they construct a cis pool, and cause the
work to be done under the direction of the superintendent
of streets, and at their own expense. Read and accepted.

Petition of Charles French, & others, French
praying, that a drain or common sewer may be laid in
that part of Ellery street, between Washington street, and the
Ellery street church; and in Front street, between Ellery street
and Beach street, and the expense thereof apportioned according to
law upon those whose estates shall be benefitted thereby.
Read and thereupon ordered, that all persons interested be
notified to appear before this board, on monday next, seven
o'clock P. M. and shew cause, if any they have, why the
prayer thereof should not be granted.

Bernard Ford was nominated and Coal baskets
appointed, inspector of coal baskets.

1822.

Treasurer

Message from the Common Council proposing a convention of the City Council this evening at 8 o'Clock for the purpose of electing a City Treasurer: Read and thereupon ordered, that a message be sent to the Common Council proposing monday next, six o'clock P. M. for said purpose instead of the time proposed by that board.

Chapman & Cambridge st

Petition of Jonathan Chapman & others, praying, that Cambridge street may be widened, at its entrance into Bowdoin square, by taking off a part of Mrs. Wells's fence and stable: Read and committed to Aldermen Loring and Upham, to consider and report.

Jenks Coloured Adults.

Petition of the Reverend Doctor William Jenks, Secretary of the Boston society for the moral & religious instruction of the poor, for the use of the ward room under the High school for boys, for the purpose of keeping a school for the instruction of African adults. Read and committed to Aldermen Loring and Upham, to consider and report.

School Committee

Memorial of the sub-committee of the School committee: Read and thereupon ordered, that the school committee be and they are hereby authorized to apply any surplus which may exist in the appropriation for salaries & compensation of instructors, during the present year, to the repairs of school houses, if in their judgment the same shall be necessary and expedient. Sent down for concurrence.

Common

Came up concurred, with the following amendment viz: insert at the end thereof "Provided that such bonus shall not exceed sixteen hundred dollars." Read & concurred.

The committee who were authorized to lease the office in the east end of the Old State house, reported, that they have let said office to Edmund Munroe for one year for four hundred and fifty dollars, payable quarterly commencing from the expiration of the lease to the Merchants Insurance company. Read & accepted. Munroe Old State house

Ordered, that the Mayor be requested to apply for the use of Park street church for the performances on the fourth of July; the Old South church, the usual place of meeting being under repairs. Park st. Chh.

The board proceeded to view the old hay scales on Charles street, and the land of the City in the vicinity, with a view of locating a new site for the same. Ordered, that the new hay scales be placed on the westerly side, at the junction of Piedmont street, (so called) and a street leading to Charles street. New scales

Ordered, that Cambridge street be paved. — Cambridge st

Adjourned to Monday next seven o'clock P. M.

1828. At a special meeting of the board of Aldermen, Wednesday the eleventh day of June, Anno Domini, 1828. Present.

The Mayor, Aldermen Connelly, Kendall, Hall and Armstrong.

Treasurer

The Common Council propose to form a convention of the City Council on monday next, eight o'clock P.M. for the purpose of electing a City Treasurer; instead of six o'clock. The time proposed by this board, at its last meeting. Ordered, That a message be transmitted to the Common Council, declaring the assent of this board to their proposition for forming a convention of the City Council next monday evening, at eight o'clock, for the purpose of electing a City Treasurer.

Petitions &c. read

New street.

Petition of R.D. Shekleton and others, praying that a new street may be opened, from Common street to Hanover street, the Common Council read and committed to Messrs James, Adams and Colles, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Savage and Hall are joined.

Oliver

Petition of Francis J Oliver, stating, that his application for an equitable contribution for the expenses he which he was imprisoned, for the public safety,

at

al the Cab fire on Canal street, memorials principally of great importance to every citizen of this metropolis, and on which it is desireable that a decision of the City government should be had & the Marshal asks requests, that all the facts in the case may be referred, to a committee of the City Council in order that a just and equitable decision may be had thereon. Read and committed in Common Council to Mess^rs Ruggles, Cox, Naylor, Wm. S. Jr. Williams and Seaver, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Loring, Hall and Upham are joined.

Petition of Lincoln Fearing, Benjamin Thomas, praying, indemnification for the expenses, cost & trouble of removing from a store which was taken down in the year 1824, to and on Merchants Row. Read and committed in Common Council to Mess^rs Everett, E. Williams & Brock, with such as the board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred, and the Mayor and Aldermen Donnelly are joined. Fearing

Petition of Cornelius Coolidge & others, praying, that Charles street may be repaired, in such a manner as that the waste water running down Chesnut street may be carried off, & prevent its stagnating in said Charles street. Read & committed to Aldermen Loring & Upham, to consider & report. Coolidge & Charles st.

Adjourned to Monday next, seven o'clock P. M.

At a meeting of the board of Aldermen, on monday the sixteenth day of June, Anno Domini, 1828.

Present.

The Mayor, Aldermen Tennelly, Savage, Kendall, Upham and Armstrong.

French Esex st

It appearing to this board, that notice has been given, on the petition of Charles French, and others, praying, that a common sewer may be made in Esex street, and now several persons appear and object, stating, that their drains are sufficient for their purposes, and after a full hearing the board are of opinion that it is inexpedient to lay a new common sewer at present.

Dorr Saunders st

Petition of Nathaniel Dorr, praying, that a common sewer may be constructed in Chambers street, Read and thereupon ordered, that all persons interested be notified to appear before this board, on monday next, four o'clock, P. M. and shew cause, if any they have, why a common sewer should not be constructed as prayed for, and the expence thereof assessed upon those whose estates shall be benefitted thereby, by publishing notice in the newspapers.

Knapp Boston free bridge

Order of the Common Council, committing the report of the committee, on the remonstrance of Josiah Knapp and others, against the construction of the draw, in the Boston free bridge, to the committee for superintending the erection

of,

of the South ~~Bridge~~ Boston free bridge corporation, and order 1825.
that said committee be requested forthwith as soon as may
be, to report the progress in erecting said bridge, what is
there remains to be done, to fulfil the terms and conditions
on which the City agreed to accept said bridge, and when
the same will be completed. Came up for concurrence.
Read and concurred.

Communication of Joshu Burr, superintendent appointed by the City to construct the Boston free bridge, stating that said bridge has been constructed after the model of the Canal bridge and praying that he may be discharged. Read and committed to the committee who have under consideration the construction of the Boston free bridge to consider and report. Sent down for concurrence. Came up concurred. Burr Superintendent Free bridge.

In Convention.

Agreeably to assignment the two branches of the City Council met in convention for the purpose of electing a City treasurer by ballot, and the votes being taken it appeared that the whole number of votes was thirty six . . . . 36.
That William Mackay, Esquire, had thirty . 36
and he is chosen. Treasurer Chosen.

The business of the convention being accomplished, the two boards separated. —

188.

Shaw, Engine house No 2.

Letter of R. G. Shaw, Esq. stating that he will build an Engine house, on North Bennet street, for engine House No 2, conformably to the plan agreed upon by Messrs the Captain of said engine and S. Waldron. This house with the land under it he said Shaw will lease to the City for one hundred and fifty dollars, per annum, and the taxes, the rent payable half yearly, for the term of ten years, or during the natural life of Mrs Charlotte Gardner, wife of Benjamin Gardner, Esq. now residing in Palermo, Sicily. Read and thereupon ordered, that the committee of the fire department be authorized to close a bargain with said Shaw, upon the terms above mentioned, & to draw all the necessary papers executed.

City Solicitor

Communication of the City Solicitor stating that at the last term of the Court at Dedham, he recovered Judgment for the City against J. Hayward, for a debt between seventy and eighty dollars. The real estate of said Hayward in Braintree, was attached on the writ, and one other in favor of an individual which attachment was prior to that of the City. The estate is under mortgage, and is said to be worth more than the incumbrances. The estate is to be sold on next monday next, by the Sheriff. The City Solicitor asks advice in the premises. Read and committed to the Mayor & Aldermen, Savage and the City Solicitor who are authorized to employ an agent to bid for the estate, or make any other arrangements as shall appear to them to be expedient in relation to the interest of the City.

Petition of Samuel Beal, & others praying, that Hanover street may be widened by taking a part of the house of the heirs of Deacon Bordman at the corner of Portland street. Read and committed to the Mayor Alderman Kendall and Pickering, to consider and report. 189. Beal Hanover St.

The committee to whom was referred the petition of Ira Swallow and others, stating, that a building owned by Wm. Benjamin Wheeler, in Salem street, the wall of which was in such a state as to be dangerous to those who live near or pass, have attended to the duty assigned them, and report, that they visited the premises and examined the walls and consulted with several persons one of whom was a Bricklayer, and it was the opinion of the whole that the wall was not dangerous at present, and would be so, so long as the wooden part of the building will stand to support said wall. Robert Saunders Jr. Chairman. Read and accepted. Swallow

The committee to whom was referred the petition of Levi R. Lincoln, to purchase a piece of land near the Green dragon, report that it is inexpedient to sell the same. Read & accepted. Sent down for concurrence. Came up concurred. Lincoln

Order of the Common Council appointing Assistant Assessor Warren Hill an assistant assessor, for ward No. 12 Came up for concurrence. Read & concurred. Assistant Assessor Ward No. 12

Independence

The Mayor having communicated a letter from Edward D. Bangs, Esq. Secretary of the Commonwealth requesting that the State and City authorities co-operate in observing the approaching anniversary of our national Independence in the customary manner: Whereupon resolved, that the City government will unite with the executive of the Commonwealth in the celebration and solemnities of that day, and for this purpose will meet His Excellency the Governor and the Honble Council in the Senate Chamber of the State House, at eleven o'clock of that day, to proceed to Park street Church where those solemnities are to be performed; and that the executive of the Commonwealth be respectfully desired to request in their name the Reverend Chaplains of the General Court to officiate on that occasion:

Ordered, that a copy of this vote be communicated by the City Clerk to the Secretary of the Commonwealth and that he be requested to lay the same before His Excellency the Governor.

Shillaber

Beltnap & Pinkney streets.

Petition of Sarah Shillaber, by D. Shillaber, praying, that the line of Beltnap & Pinkney streets at the corner where she is about building should be run. Read and committed to Aldermen Loring and Alpheus, with authority to employ A. D. Fuller, the surveyor to run the same.

Adjourned to Monday next, four o'clock P. M.

At a special meeting of the Board of Aldermen, on Thursday the nineteenth day of June, Anno Domini, 1828. Present

The Mayor and the whole board of Aldermen except Aldermen Loring & Pickering.

Upon the application of William H. Eliot, Esq. to have Common street, in front of the hotel he is about erecting, reduced as near as practicable to a level. The Board viewed the premises, and thereupon Ordered, That all persons be notified, whose estates may be effected by the proposed operation, to appear before this board on Saturday next eight o'clock P. M. and shew cause, if any they have why the alteration in the level of the street should not be made as prayed for. Eliot Common street.

Ordered, That the Mayor, Aldermen Kendall and Prentiss, be a committee to engage music, and make other arrangements for the celebration of the anniversary of the Declaration of Independence on the 4th of July next. Independence Com.ee of arrangem.ts

The board then proceeded and viewed Oliver street. Oliver street.

Adjourned to Saturday next eight o'clock P. M.

192. At a meeting of the Board of Aldermen, on Saturday the twenty first day of June, Anno Domini, 1828. Present.

The Mayor, and the whole Board of Aldermen except Alderman Loring.

Eliot — New Hotel — Common st.

Upon the application of William H. Eliot, Esq. in behalf of the proprietors of the Hotel, which they are about erecting on Common and Beacon streets. After a full hearing of the parties interested, it is Ordered, that the level of the street at the intersection of Beacon, Common, & School streets, be graduated so as that it shall not be above the top of the second step of the Church called Kings Chapel on Common street, and be raised not more than eighteen inches, at the corner of the house, corner of School street, occupied by Pitham Hale, Esq. and be lowered not more than one foot at the highest point of the hill, near the building belonging to Thomas Brewer, Esquire.

Trinity Ch. — Hawley, Summer — Streets.

Application of the building committee of Trinity Church, praying that the southerly end of Hawley street may be closed during the time that they shall be rebuilding their church. Also praying for such portion of Summer street as the public convenience will permit to be obstructed, for the purpose of placing & hoisting materials thereon during said time. Read & thereupon ordered that said Hawley street be closed as prayed for, & that the City Marshal assign such portion of Summer street as is usual on such occasions.

Adjourned to Monday next, one o'clock P. M.

At a meeting of the board of 193.

Aldermen; on monday the twenty third day of June;
Anno Domini, 1828. Present

The Mayor and the whole board of
Aldermen, except Alderman Loring.

Petition of Samuel T. Armstrong, Armstrong
praying, that the common sewer in Washington street, between Washington St.
Court street and Market street, be taken up, relaid and lower-
ed, and the arches thereof altered when those whose estates shall
be benefitted thereby. Read and thereupon ordered, that all
persons interested be notified to appear before this board, on
Monday next, five o'clock, P. M. and shew cause, if any they
have, why the prayer thereof should not be granted.

The committee on the communi- Burr
cation of Joshua Burr, Superintendent of the Boston free Superintendent
bridge; reported, that they have examined the same work of Boston free bridge.
said bridge, and finding that the services of said Burr were
no longer necessary, and by the authority vested in them by a
vote of the City Council of the sixteenth day of June instant,
have discharged said Burr from any further services as it regards
said bridge. Read and accepted. Sent down for concurrence.

Came up concurred.

Letter from Samuel L. Southard, Esq. Southard at War
acting Secretary at War of United States in answer to a letter Deer Island
addressed

addressed to him by the Mayor, in relation to the appropriation for the repairs of Deer Island; That the appropriation has been referred to the Engineer department, & that instructions have been issued to Lieut. Col. Totten of the corps of engineers (under whose directions the works for the preservation of Georges Island were constructed) to give the subject his attention as soon as the nature of his other duties will permit; It is expected that in the early part of next month, he will be enabled to comply with those instructions, and make arrangements for the commencement of the works.

Hotel Beacon, Common & School Streets

Ordered, that the cost of reducing the level of the street, at the intersection of Beacon, Common and School streets, as ordered at the last meeting of this board be borne in the following proportions. The cost of levelling, raising and flagging, or macadamizing the street by the City: The cost of resetting the edge stones and relaying the side walks, by the proprietors of the hotel, and that the level be reduced in case these conditions be acceded to, by said proprietors and not otherwise.

Independence Music.

The committee of arrangements for the fourth of July, reported that Mr. Withington has engaged to furnish music at the Church on that day, for the sum of one hundred and thirty dollars.

Read and accepted.

The committee on the application of the proprietors of the South Congregational society, praying that the public clock may be placed under the care of the said society, reported, that the public service will be promoted in a very important part of the City, by granting the request. Read and accepted.

South Congreg. Society.

Memorial of the Wardens and Vestry of Kings Chapel, praying, that they may have liberty to place temporary bars in School and Common streets, near to the Church which shall extend from one side walk almost over to the other, leaving sufficient space for a carriage to pass it a moderate pace: Those bars to rest at each end, on a crutch or a machine like a wood sawyers horse, to be forthwith removed by the Sexton when Divine service shall be ended. Read and the prayer thereof granted.

Kings Chapel School & Common Streets.

Ordered, that there be allowed to the informer against trespasses on Bird Island, ten dollars, & that the Mayor be authorized to certify the same in order that it be allowed by the committee on accounts.

Bird Island trespasses.

The committee on the petition of Richard Thayer for a renewal of his lease of a privilege of placing a fence across the bottom of Short street, Report, that said lease be renewed for a further term of five years, on the same terms as he heretofore had the same viz: to pay

R. Thayer Short Street.

Six

six dollars per annum, subject to have the same termi
nated at any time by the City authorities.

Read and accepted.

Alre

The committee on the petition of Andrew Alre, a keeper of the house of Correction for additional compensation, reported, that the prayer of his petition be so far granted, as that his rent be relinquished.

Read and accepted.

Stewart
Common St.

The committee to whom was referred the petition of Alexander Stewart for compensation for land taken to widen Common street, the last year, report, that the land mentioned in said petition is not taken for the street; but that Wm. Stewart by advice of the committee set back his house on a straight line, and thereby from a point at one end to the depth of eighteen inches, at the other the public may easily be benefitted, if Mr. Stewart give his consent. The committee thought the benefit to Wm. Stewart was much greater, than to the community, but they would have recommended an allowance of ten dollars for the land, if he would have given a deed; or they would have allowed fifteen dollars for this, if a continuance of the line southeasterly through a wood en lot could be gained for making the line of the street uniform. Wm. Stewart would not listen to either of the propositions, and the committee ask to be discharged from further consideration of the matter. Respectfully submitted by Jas. Savage, for the com.

Read & accepted.

Ordered, that the proposition of Amos Stevens to complete, deliver and put up a balance for weighing hay, equal in every respect to that now used by the City, near the City Stables, for three hundred dollars, be accepted; and referred to the Committee on the Common and Malls, to see it executed.

1917.
Stevens
balance.

Ordered, that the proposals of Samuel Lane, for erecting two buildings, one for hay scales, and the other for weighers office and store room, according to the plan drawn by W.M. Mark Noare; he engages to do all the work and furnish all the materials as by plans and specifications for eight hundred and sixty six dollars, be accepted, and referred to the Committee on the Common & Malls to see the work executed.

Lane
Hay scales
house for.

Petition of Annie Cutler & others, to have Portland Street regularly numbered. Read & thereupon ordered, that the same be referred to the Mayor to cause it to be done according to the rules heretofore established.

Cutler
Portland Street.

The committee on the petition of Daniel Shillaber, to the line of his lot run at the corner of Pinkney & Belknap streets, Reported, that they have employed W.M. Fuller the Surveyor to run the same.

Shillaber
Pinkney & Belknap
Streets.

Adjourned to Monday next, four o'clock, P.M.

At a meeting of the board of Aldermen, on Monday the thirtieth day of June, Anno Domini, 1828. Present.

The Mayor, and the whole board of Aldermen.

Allen & Nichols, Merrimac st.

The committee to whom was referred the petition of John Allen and Cushing Nichols, proposing to purchase a lot of land on Merrimac and Market streets, belonging to the City, report, that in their opinion it is not for the interest of the City, to sell said lot of land, at the present time. By order of the com.e Tho.s Kendall. Read and accepted. Sent down for concurrence. Came up concurred.

Armstrong, Washington st.

It appearing to this board, that notice has been given, agreeably to the order passed at the last meeting, on the petition of Samuel T. Armstrong, praying that the common sewer in Washington street, between Court & Market streets, may be taken up, deepened and relaid; and the expense thereof assessed upon those whose estates shall be benefitted thereby. And now John Welles, Esq. and Samuel D. Ward, Esq. in behalf of Andrew Brimmer, appear and object to being assessed for the same. And after full hearing, it is thereupon ordered, that the same be relaid as prayed for, and the expense thereof assessed according to law, on those whose estates shall be benefitted thereby, & that the same be referred to the Mayor, & the Superintendent of streets, to see it executed.

Petition of George L. Shattuck praying that the common sewer in Hanford Street may be taken up, deepened and relaid, and the expense thereof apportioned upon those whose estates shall be benefitted thereby. Read and thereupon ordered, That all persons interested be notified to appear before this board on monday next, four o'clock P.M. and shew cause if any they have, why the prayer of said petition should not be granted.

Shattuck
Hanford St.

Remonstrance of Caleb Eddy, and others, proprietors and occupants of estates in the northern section of the City, against the Company who are erecting buildings and laying pipes for the purpose of manufacturing and using gas to light the City; they state that such establishments have been found noxious & a nuisance in the neighbourhood wherein they have been located, and that great serious injury and inconvenience from smoke, dirt and stench and the danger from fire and explosion are apprehended. Wherefore they pray, that the proprietors of said gas works may be required to establish the same, without the limits of the City as the only condition on which they shall be permitted to go into operation. Read and ordered to be laid on the table.

Eddy
concerning
Gas works.

Application of William B. Kendall for a license to exhibit a Solar Microscope at Joy's buildings. Read & license granted until the further order of this board.

Kendall
Microscope.

200.

Ewer
Washington St

Petition of Charles Ewer, and others, praying, that Washington street may be widened, by cutting off the fronts of the buildings, between the new stone buildings, erected by said Ewer, and the corner of Bedford street, to carry back the fronts to the established line of the street. Read and committed to Aldermen Kendall and Pickering, to consider and report.

Rowe
Court house

Communication of Joseph Rowe, Esq. stating, that the eaves and gutters on the north side of the east wing of the County Court House, project and overhang land owned by said Rowe, and his sisters, and that if it is not convenient to alter or remove these eaves, the petitioner requires some official document, admitting the right of the proprietors he represents, and that upon notice to be given at any time hereafter they shall be removed. Read and committed to the Mayor and Aldermen Pickering, to consider and report.

Assistant Assessors
Wards 4. & 12.

Order of the Common Council appointing Lorenzo Draper, an assistant assessor for Ward No. 4, in place of John W. Trull, who declines serving. Also appointing Jonathan Packard Stearns, an assistant assessor for Ward No. 12, in place of Warren White, who declines serving. Came up for concurrence.

Read and concurred.

Galvin
Pearl street

The Com.ee on the petition of George J. Galvin, report, that no alteration is necessary in the line of Pearl street in front of his estate.

Read & accepted.

Ordered, that the Mayor, Aldermen Upham and Armstrong, be a committee to consider and report on the subject of complaints made of impositions or mistakes in Certificates of weighers of boats & lighters. Boats & lighters weighers

The board proceeded by ballot to the choice of a surveyor of boards and other lumber, and the votes being taken, it appeared that Edmund Parsons, was chosen. Sent down for concurrence. Came up concurred. Surveyor of boards

Petition of Joseph Jenkins, praying compensation for land taken to widen Bloson street, & c with the Female Hospital. Read and committed to Aldermen Loring and Upham, to consider and report. Jenkins Bloson street

Petition of David Vinal & others, praying that the north line of Prospect street may be straightened. Read and committed to Aldermen Loring and Upham with authority to cause said line to be straightened if they deem it expedient. Vinal Prospect st.

On the application to new pave Cambridge street, Ordered, that public notice be given to all persons who are owners, or otherwise interested in the estates bounded on said street, to appear before this board on monday next, at four o'clock, P M. and shew cause if any they have Cambridge st.

have to the paving said Street, at which time the subject will be taken into consideration.

Primary Schools

The committee of the City Council to whom was referred the memorial of the primary school committee, on the subject of school rooms, respectfully, report, That having examined into the subject, they are satisfied that it is for the interest of the City to provide school rooms for the primary schools, and that as these have heretofore been provided by the school mistresses a proportional deduction from their salaries should be made on that account. They find by a report made to them by the primary school committee, which accompanies this marked A. that the present whole number of those schools is fifty seven. The annual rent paid for which is two thousand six hundred and seventy three dollars, and that the average rate of rent is forty seven dollars. That of all these only twenty seven are deemed satisfactory. Your committee have no doubt that it will be in the power of the Mayor & Aldermen as the executive board of the City, Constituting a part of the school committee usually charged with concerns of this kind, easily to obtain school rooms by hiring at an annual rent, provided they could be taken for a term of years. And your committee do not apprehend that any additional appropriation will be necessary on that account, all that seems requisite is an authority in this respect, to obtain which your committee recommend the passing

the

the following resolve, which is respectfully submitted.
By order of the committee. Josiah Quincy, Chairman.

Resolved, that the school committee be and they are hereby authorized to cause to be hired a suitable number of school rooms, in which such location, & of such size, as, after consultation with the primary school committee shall be deemed expedient, and for a term not exceeding two years, and that for this purpose, they be & are hereby authorized to draw upon the appropriation for the primary schools, an amount not exceeding in the whole, for the rent of all such school rooms, the sum of twenty seven hundred dollars; it being understood, that in consideration of the instructresses being relieved from the expense of finding school rooms, that a deduction of fifty dollars be made in that account, from their respective salaries. Read and accepted, and the resolve hoped. Sent down for concurrence.

Came up concurred.

The committee on the petition of James Howe, and others, praying, that Oliver street may be repaired, reported, that said street ought to be repaired, and the surface thereof, altered or graduated &c. The board having viewed said street, it is thereupon ordered, that the superintendent of streets be authorized to cause the same to be repaired, provided there are funds sufficient for that purpose. Howe Oliver street.

Pet. of Jacob A. Rogers, to keep an intelligence office. R. & Com. to Ald. Kendall & Pickering, to consider & report. Rogers.

May. High st

Petition of Samuel May, stating that the common sewer in High street is laid so high that the cellars of a block of houses erected by him cannot be drained into it. Read and committed to the Mayor, Aldermen, Kendall and Pickering to consider & report.

Eastburn City Printing

Order of the Common Council, appointing John H. Eastburn, City Printer the present year. Pass'd for concurrence. Read and committed to Aldermen Loring, Savage, Kendall, Hull and Tyng to consider and report.

H. of Industry Hubbard

The committee on the representation of the Directors of the House of Industry respecting John Francis Hubbard, reported that it is inexpedient to pursue the subject any further. Read & accepted.

Independence

Resolved, that the Mayor be authorized to permit the erection of a staging on the Common suitable for the musicians who have engaged to play on the afternoon & evening of the 4th of July.

City Sol.

Charles P. Curtis, Esq. City Solicitor's account amounting to forty eight dollars, for travelling charges in attending to several suits in wch. the City was a party at Concord, Dedham, Cambridge & Roxbury. Read. Recommt. to Aldermen Savage & Pickering to consider & report.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the Board of Aldermen, on Wednesday, the second day of July, Anno Domini, 1828. Present

The Mayor, Aldermen Savage, Hall, Tuttering & Wigham.

Order of the Common Council appointing Messrs. Gray, Lowell and Seaver, with such as the board of Aldermen might join, a committee to consider and report, on the application of the school committee in relation to arrangements and alterations proposed to be made in several school houses, which application bears date the ninth day of June, instant. Came up for concurrence. Read and concurred; and the Mayor and Alderman Savage are joined. School houses.

Petition of Samuel Wheelwright, & others, praying that the basement story of the Boylston school house may be fitted up for a ward room, for the meetings of the citizens of Ward No. 9. Read & committed in Common Council to Messrs. Russell, Parker & Wm. Bell, with such as the board of Aldermen might join, to consider & report. Came up for concurrence. Read & concurred, & Aldermen Loring & Hall are joined. Wheelwright & Ward room No. 9.

Ordered, That all persons who were licensed the last year, as Innholders, victuallers, retailers & confectioners, against whom no complaint has been made, & who shall apply therefor, shall be licensed the present year. And in those cases where objections are made, that the same be referred to the Mayor. Licenses renewed.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen, on Monday the seventh day of July, Anno Domini, 1828. Present

The Mayor, & the whole board of Aldermen.

Shattuck Stanford St.

It appearing to this board, that notice has been given, agreeably to the order passed on Monday last, on the petition of George C. Shattuck, praying that the common sewer may be taken up and relaid; and the expense thereof assessed upon those whose estates shall be benefitted thereby. And now Messrs. John S. Tillie, William W. Clapp & others appear and object to the same; by reason that the present sewer is sufficient to drain their estates; and after a full hearing it is thereupon ordered, that the said common sewer be opened according to the prayer of said petition, under the direction of the Mayor, and the superintendent of streets.

Cambridge street.

It appearing to this board, that notice has been given to all persons who are owners, or otherwise interested in the estates bounded on Cambridge street, to appear at this time and place, and shew cause, if any they have why said street should not be repaired. And now no person appearing to object except Peter C. Thacher, Esq. who objects to the street being raised in front of his estate, at the corner of North Russell & Cambridge streets. And after a full hearing it is thereupon ordered, that said Cambridge street be new paved; and that notice be issued to the several abutters to relay their side walks,

according

according to law. and the Superintendent of streets cause the level of the same street to be laid before this board on Monday next.

Carriages notice to owners and drivers.

Ordered, that notice be issued to all owners and drivers of any hourly or half hourly stage coach or other public carriage running at stated times, between this City, and any town within ten miles thereof, that they are prohibited from standing with such carriage or carriages in any street lane or square within this City, longer than five minutes preceding the time of departure therefrom; under penalty of prosecution for each offence; and that such notice be published in the papers which publish the orders and ordinances of the City.

Auctioneers.

Ordered, that notice be published, that all persons who shall sell at public vendue or outcry any goods or chattels whatsoever, in this City, after monday the twelfth day of July, instant; without license; will be prosecuted according to law and that no license will be given to persons heretofore having licenses, or any others, unless the same are specially applied for.

Minot Court street.

The committee to whom was referred the petition of William Minot, relative, that it is expedient to grant leave to the petitioner to widen the side walk in Court street, fronting his estate, as follows: to

make

208. make said side walk eight feet wide at the boundary be-
tween the land of James W. Bundell, and the estate of C. Wood,
and thence on a straight line gradually increasing the width
thereof, till it comes to the line of the northern brick parti-
tion within said Woods' building, and there the said side
walk shall be nine feet wide; and from the said partition
the said side walk shall be continued to the northern exterior
wall of said building as nearly of the last mentioned breadth
as shall be found best to correspond with the side walk
northward of said Woods' estate. And the committee fur-
ther report, that the above widening in front of said Woods'
estate will render it expedient to reset a part of the side
walk in front of said Bundells' estate, and that the same should
be brought out so as to be of the width of eight feet next to
said Woods' estate, and about seven feet seven inches, at the corner
of Franklin square. And the committee further report, that
said Wood has agreed to pay the expense of re-setting the said
side walk in front of said Bundells' estate. The committee also
report, that said Wood have permission to open the street,
for the purpose of conducting the water to the common sewer
as requested in his petition. Thomas Kendall, per order.

Read and accepted.

Curtis
City Solicitor

The committee to whom the com-
munication of C. F. Curtis, Esq. City Solicitor, inclosing an
account of forty eight dollars, for travelling fees in attending
to suits in the Counties of Norfolk, and Middlesex, Rhode
Island

that they have examined the said account and think that the same contains just charges and that the same should be allowed to the Solicitor of the City.

Read and accepted.

The City Solicitor's communication in relation to demands against different individuals who have had the use of the well and pump belonging to the City in Well street near Broad street. Read and committed to the Mayor and Aldermen Kimball to consider and report. Well street Well & pump.

The committee on the petition of Charles Ewer and others, to have Washington street widened, beginning at said Ewer's store, and running south to Bedford street, made a report which was read and recommitted for the purpose of ascertaining the probable expences to the City for such widening. Ewer Washington St.

Jacob F. Rogers, licensed to keep an Intelligence office. Intelligence office.

Application of Otis Briggs, requesting the privilege of using a building or work shop at the bottom of Short street. Read & committed to the Mayor to consider & report. Briggs Short Street.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the board of Aldermen, on Tuesday the eighth day of July, Anno Domini, 1828. Present

The Mayor, Aldermen Loring, Savage, Kendall and Armstrong.

Orator's 4th of July thanks to

Order of the Common Council, requesting the Mayor and Aldermen to present the thanks of the City to Windsor Sumner, Esq. for the elegant and spirited oration delivered by him on the fourth day of July, at the request of the City, upon the anniversary of American Independence, & request a Copy for the press. Also requesting the Mayor & Aldermen to appoint a suitable gentleman to deliver an oration on the next anniversary of American Independence; wherein shall be considered the manners, feelings and principles which led to that auspicious event. Came up for concurrence. Read and concurred and the Mayor is requested to give the first vote to Mr. Sumner.

Brazer's mortgage to the Treasurer.

A certificate signed by the City Treasurer, certifying, that the Executors of John Brazer, Esquire, deceased, have paid two several notes, amounting to two thousand seven hundred and sixty dollars, together with interest. Read and thereupon ordered, that the Mayor be authorized to discharge the mortgage given by said Brazer, as collateral security for the payment of said notes.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen, on monday, the fourteenth day of July, Anno Domini, 1828. Present.

The Mayor, and the whole board of Aldermen except Alderman Upham.

The committee on the petition of Ewer & Charles Ewers, and others, praying, that Washington street may be widened from the southerly end of and in a straight line with Ewers buildings to Bedford street, with instructions to ascertain the probable expense to the City should such an improvement be made, Report, that there is no probability of making any arrangement with the owners of estates which are to be effected by the contemplated improvement, which would be satisfactory to, or for the interest of the City, your committee find that the land necessary to be taken is about five hundred and eight square feet, which if appraised at two dollars per foot, amount to seven hundred and sixty dollars. Mr. Redman has agreed to take down and rebuild the parts of the three remaining estates and furnish all the materials to complete the same, for seven hundred and fifty dollars and also to relinquish to the City one half the ground the land taken from him may be appraised at. Mr. Ewer has agreed to pay Mr. Redman, or the City, the other half of the appraised value of Mr. Redman's land; which land at two dollars per foot, will amount to one hundred & eighty dollars; by this calculation, it will be seen that the probable

Washington St.

probable cost to the City for this improvement will be ten thousand three hundred and thirty dollars. Your committee further state; that in their opinion it is expedient for the City to cut down all the remaining buildings from the southerly end of, and in a straight line with Mr. Evans buildings to Beaver Street, and provided the present authorization for the improvement of streets should be found insufficient for the accomplishment of this object the committee recommend; that measures be taken to procure a special appropriation for this object. All which is respectfully submitted

Thomas Kendall, Chr. order.

Read and thereupon resolved, that the whole board will meet in Washington street in front of the premises, on Thursday next; four o'clock P. M. for the purpose of taking into consideration the necessity or expediency of widening said street; by taking a part of the premises of Nancy Thompson, Benjamin Weeden and Sarah Boston; for that purpose, and that the above mentioned persons be notified to attend and object if they see cause.

Boston pier bridge.

Ordered, that the Mayor, Aldermen Kendall, Pickering, Upham and Armstrong, be a committee to take into consideration the question of concurring with the Common Council in regard to the acceptance of the Boston pier bridge, and that said committee be instructed to inquire into the whole subject; and that said committee be furnished with the reports of the standing committee on said bridge.

Petition of John Ballard, & others, praying that Brownfield lane may be macadamized hereafter called Brownfield street. Read and committed to Aldermen Loring and Upham to consider and report.

213.
J. Ballard
Brownfield Lane

Petition of the proprietors of West Boston bridge praying that Cambridge street extending as far as Charles street may be accepted as a public street and highway of this City. Read and committed to Aldermen Loring and Upham to consider and report.

West Boston Bridge
Cambridge St.

The committee to whom was referred the order of the common Council, ordaining John J. Carlton, City Printer for the year ensuing respectfully report, That having given to this subject due consideration, your committee are induced to recommend to this board, to concur with the Common Council in the order, with an amendment, as at the conclusion of this report is proposed. The committee cannot dismiss this subject without expressing their regret, at the course pursued by the common Council, in making the contracts for the City Printing, & the incidental appointment of the City Printer the present & preceding year, it has heretofore been usual either to confide the making of all contracts exclusively to this department of the government, or the business has been committed to a committee of both Branches, with directions to report their doings to the two boards, for their approval

City Printer appointed

or

or rejection. The first departure from this rule occurred in making the contract for the printing the last year; and was met on the part of this board by a prompt refusal to concur with the Common Council, in the course adopted on that occasion. But in order that the business of the City might not suffer by a longer delay, an order was passed authorizing the same person to do the printing of the City for the ensuing year, who had been previously appointed by the Common Council. Influenced by a similar reason, your committee have been induced to recommend a concurrence with the Common Council, in the appointment of Mr. Eastburn. In the hope that in future a different course will be adopted. Wherefore they conclude with recommending a concurrence with the other board, in passing the said order with the following amendment. "Provided that the proposals offered by said Eastburn, dated June the fourteenth and signed by him, be considered as the terms on which he is to execute the printing of the City, for the year ensuing." For the com.ee Mr. J. Loring.

Read and accepted, and said order is amended accordingly.

Sent down for concurrence.

Came up concurred.

Engine Comp. No. 11.

Communication of the members of Engine Company No. 11, in relation to their being suspended from duty. Read and committed to the committee on the fire department, to consider and report.

Petition of Samuel L. Annable

member of Engine No. 13, praying some remuneration for expence and loss of time, occasioned by an injury at a fire in Broad street, in March last. Read and committed to the committee on the fire department, to consider and report.

Annable

Mayor's message.

Gentlemen of the City Council.

I have received the inclosed communication from Col. Tallen, which I respectfully recommend to the early attention of the City Council. Josiah Quincy.

Deer Island.

3. The communication referred to relates to the building a sea wall on Deer Island. Read and committed to the Mayor, Aldermen Savage and Pickering, with such as the Common Council may join, to prepare the necessary papers and report the same for the consideration of the City Council. Sent down for concurrence. Came up concurred, and the Common Council joined on its part. Messrs. E. Williams, Seaver, Moody and Paine.

Communication of Amos Cotting, stating that the City holds a mortgage made by Henry Rice to the Barton Point association, for the sum of fourteen hundred dollars, dated 21st April, 1825, on a lot of land numbered five on a plan of land at Barton point, and praying that the city do transfer said mortgage, together with the note of hand to David Sears, Esq. who will pay the money for the same.

Rice's mortgage.

same. Read and committed to the Mayor and Aldermen Savage, to consider and report.

Ch. Eng. fire dep't / Chief Eng.

Communication from the Chief Engineer of the fire department, stating the necessity of providing a piece of land, and a new engine house for the Cataract Engine, and stating that a piece of land between Merchants Hall and Phillips buildings in Water street, as a suitable place in the same. Read and committed to the committee on the fire department, to consider and report.

Auctioneers

The following persons were nominated and appointed Auctioneers, for one year from the first instant upon their several applications when their giving good and sufficient bonds viz: James Bourgeois, Henry S. Billings, John A. Bacon, Charles C. Beaman, George G. Channing, Samuel H. Coolidge, Benjamin Poor, Francis C. Head, Charles D. Coolidge, Caleb S. Cunningham, Thomas K. Jones, William Nelson, Samuel Eveleth, Daniel Jewett, Isaac Hatch Junior, Hosea Houghton, Frink Stratton, John Tyler, Horatio G. Snow, George L. Deblois and John Fairfield.

Franklin School

Petition of the Masters of the Franklin School, praying liberty to make such occasional use of the Hall room in said building, as may be found advantageous to said School. Read and the prayer thereof granted until the further order of this board.

Petition of William Howe & 217.

others, stating that a large wooden building situated on Howe
Bond street, is occupied as a stable and a carpenters shop, Bond &
and praying that the same may be prohibited from being
occupied as such, and building facing them on the Road,
and committed to the committee on the fire department to
consider and report.

The committee on the petition of Jenks
the Rev. Dr. Jenks, in behalf of the society for the moral Eng. High Sch.
and religious instruction of the poor, for the use of the Ward
room in the English high school, on Sundays, for the purpose
of instructing adult coloured persons, reported, that the same
be granted until the further order of this board.

Read and accepted.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the Board
of Aldermen, on Tuesday the fifteenth day of July, Anno
Domini, 1828. Present.

The Mayor, Aldermen Loring, Kendall, Pickering
and Armstrong.

Samuel Whitwell, Junior, George Auctioneers.
Bond, Benjamin Beaver and Stephen Brown, nominated, Authorized
Auctioneers, for one year from the first instant, giving bonds according
to law.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the Board of Aldermen on Thursday the seventeenth day of July Anno Domini 1828. Present —

The whole board, except Aldermen Loring and Armstrong.

Ewer
Washington St.

The whole board having viewed that part of Washington street between Avon place and Bedford street for the purpose of considering the necessity or expediency of widening the same, petitioned for by Charles Ewer and others, agreeably to the report of the committee and resolve of this Board, passed on the 14th instant and it appearing that all persons interested have been duly notified to appear and object to the same; accordingly Benjamin Wheeler and Sarah Porter, and Thomas Thompson in behalf of his sister Mary Thompson, appear & object to the cutting off their estates for the purpose of widening said street. And after a full hearing and mature deliberation thereon, the Board are of opinion, and it is accordingly resolved; that the safety and convenience of the Inhabitants require that Washington street should be widened, in that place, and the same is laid out and widened accordingly, taking into the street all the land belonging to the above named persons lying to the westward of a line running from the southwesterly corner of the stone building erected by Charles Ewer, and now or lately belonging to him and running southerly in a straight line to Bedford street, conformable to a plan taken by J. D. Fuller, April 8. 1825, and referred to by the Mayor & Aldermen March 9 & 13. 1826.

Therefore

Therefore ordered, that Aldermen Rhodes and Pickering, the committee of the District have an interview with the several owners and persons interested in said estates so taken, and ascertain on what terms they can settle with them, and what time they will undertake to remove their respective buildings. 210.

Petition of John Lewis, and others, praying, that part of Thacher street, adjoining Prince street, may be hawed; they also state, that the lanes now there, at the end of said Thacher street on Prince street, at certain times emits a most intolerable bad smell, and pray that the same may be remedied: Read and committed to the Mayor, Aldermen Pierce and Armstrong, to consider and report. Lewis Thacher St.

Petition of Asa Rand, and others, praying that Front street may be numbered, Rad, and the Square thereof marked, and that the same be numbered according to the rule established under the direction of the Mayor and the superintendent of streets. Rand Front St.

The committee on the fire department to whom was referred the communication of the Chief Engineer of the fire department relative to the difficulty at present locating the Colonial Engine in the vicinity of its present house, reported, that having seen the trustees of Edward P. Phillips, a minor, and stated to them the circumstances of the case, the said trustees stated, that it was not their present intention Colonial Eng. No. 14.

intentions nor was it in their of the testator, as they are informed; that any permanent building should be erected on the said land, during the nonage of said minor; but considering the object and the convenience of the City, they are willing to erect a building satisfactory to the Engineer of the Fire Department, twenty two feet by forty, similar to that now erecting by K. G. Shaw, in Bennet street, & leave the same to the City, for and during the minority of Edw. B. Phillips: at and for the annual rent of one hundred & fifty dollars, payable semi annually; it being understood, that in case of the death of said Edward, or on giving one years notice to the City, the trustees of said minor may at any time rescind the lease. And your committee are unanimously of opinion, that the same ought to be accepted, and recommend that an authority be given to close the said agreement forthwith with said trustees.

By order of the committee. Josiah Quincy, Chairman

Read and accepted, and the same to be carried into effect under the direction of the fire department.

Rice's mortgage

Ordered, That the Mayor be authorized to assign Henry Rice's mortgage for fourteen hundred dollars to David Sears, Esq. upon the principal and interest due thereon being paid.

Auctioneers

Timothy M. Baker, Ebenezer Alexander Junior, Prentiss Whitney, James E. Cooley, Ferdinand E. White, George

George T. Thomas, Daniel Parkman, Joshua T. Callender, Rich. Warren, Samuel A. Barry, and Ebenezer N. Stratton nominated and appointed Auctioneers to Grant their Commissions the 1st instant. —

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday the twenty first day of July, Anno Domini, 1828. Present —

The Mayor and the whole board of Aldermen.

A message was received from the Common Council, informing this board, that Thomas N. Hunt, Esquire, a member from Ward No. 1. has resigned his seat, and requesting that a warrant may be issued to the Inhabitants of that ward to fill the vacancy. Read and thereupon ordered; that a warrant be issued for that purpose on Monday next, twelve o'clock M. and that the polls be kept open until two o'clock P. M. Common Council. vacancy in Ward No. 1.

The committee who were directed & instructed to have an interview with the several owners of estates situated on Washington street, between Bedford street and Charles Ewer's buildings, and to ascertain on what terms they can settle with them; Report, that they have conversed with the proprietors of the several estates, over which the proposed Washington street.

posed widening of Washington street will be made and the re-
sult of their conference is as follows. Mr. Benjamin Wheeler
estimates his damages at two thousand dollars. Mr. Thomas
Thompson as agent on behalf of his sister, who is owner
of the estate next adjoining said Wheeler declines making
any estimate of damages, or making any specific proposition
at this time in relation to that estate. Mr. Foster owner
of the estate on the corner of Bedford street, estimates his
damages at two thousand dollars. The committee have to
add, that upon a more accurate admeasurement, they find
the quantity of land which will be thus taken into the
street, will be about forty seven feet more than was stated
in their former report, and will be in all about four hundred
and twenty seven superficial feet.

Respectfully submitted, per order, Thomas Kendall.

Read and referred to the former committee to receive
further proposals.

Resolved, that the board will on the first
day of September next, nine o'clock A. M. proceed to
take down the parts of the several buildings standing within
the line of Washington street, and that the several owners
persons interested be notified thereof accordingly.

Cambridge street.

Mr. S. P. Fuller, surveyor, exhibited a
plan of elevation of Cambridge street, and it was thereupon ordered
that the same be adopted, as the true elevation of said street, &
that the new paving conform to the same.

The following named persons were nominated and appointed Constables for the year ensuing viz: Elisha Copeland, James Perkins, Jonathan Prescott, Thomas Holden, George Reed, Josiah Baldwin, Horatio Bass, Elisha V. Glover, Thomas Wallace, Ebenezer Shute, George Robinson, James Pierce, Asa Prouty, Ebenezer Prescott, Mitchell Lincoln, John Henry, William Simmons, Abraham Lansing, Emanuel Chisole, and Willard Clough. Constables.

Ordered, That the Mayor Aldermen Loring and Upham, be a committee to hear the evidence and the parties interested in case of the complaints against Michael Riley, George Jones and Ebenezer B. Morse. Com: on Constable.

The committee on the representation of Nathaniel Curtis, Executor of the will of Ward Nicholas Boylston reported, that on examination they find the representation made by Mr. Curtis, to be correct, & recommend, that authority be given to cause the nuisance to be removed. Read and accepted and referred to the former committee to carry the same into effect. Curtis Exr.

John Kennedy, Junior, licensed as an auctioneer for one year from the first instant. Auctioneer

Asa Dow, licensed to keep an Intelligence office, Intelligence office Federal street.

224.

House offal

Ordered, That the Mayor, Aldermen Loring, Upham and Armstrong, be a committee to consider and report, what disposition shall be made of the House offal.

Briggs
Short St.

The Mayor reports on the application of Otis Briggs, for a lease of a piece of land at the bottom of Short street, that it has been let to Mr. Mayo.

Hastings
Licence

Ordered, That Henry Hastings, victualler, be notified to appear before this board on monday next, four o'clock, P. M. and shew cause, if any he have, why his license should not be revoked, for a violation of the license law, in keeping his place of business open and selling liquors on Sundays.

Adjourned to monday next, four o'clock P. M.

At a special meeting of the board of Aldermen, on tuesday the twenty second day of July, Anno Domini, 1828. Present

The Mayor, Aldermen Loring, Savage, Hall, Pickering and Upham.

Buffum
Mummy.

Application of Jonathan Buffum for a license to exhibit an Egyptian mummy Read, & the prayer thereof granted upon paying one dollar per week.

Adjourned to monday next, four o'clock. P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday the twenty eighth day of July, Anno Domini, 1828. Present

The Mayor, and the whole board of Aldermen, except Alderman Tennelly.

Petition of Mary Sawtell and Lydia Jacobs, lessees of house and shop No. 280 Washington street, praying relief in the premises, the City having determined to cut off said building to widen said street, on the first day of September next. Read and committed to Aldermen Kendall and Pickering, to consider & report. Sawtell Washington st.

A vote having been received from the Mercantile wharf corporation, requesting the Mayor and Aldermen to erect bridges over the mill creek, connecting Marginal street with the street sixty five feet wider, leading to Long wharf, and also second street with the forty feet street in the rear of North Market street, in conformity with the conditions of an order of this board on the thirtieth day of April last. Read and thereupon ordered, that the former committee on this subject be authorized to proceed and erect said bridges in conformity to the agreement between said corporation and the City. Mer. Wh. Corp. bridges over the Creek.

Ordered, that a common sewer be constructed from Richmond street through Marginal street. Richmond st.

Petition and complaint of D.

Sigourney A. Sigourney, and others against the manner of removing the vats from the Distil house, belonging to the heirs of Thomas Williams, deceased. Read and committed to Aldermen Savage and Hall, with authority to take the opinion of Physicians and adopt such measures in relation to the premises as the health of the City may require.

Spring St. On the application to new pave or macadamize Spring street. Ordered, that public notice be given to all persons who are owners or otherwise interested in the estates bounded on said street, to appear before this board on monday next, at four o'clock, P. M. and shew cause, if any they have, to the paving or macadamizing said street, at which time the subject will be taken into consideration.

Hastings license revoked It appearing to this board that notice has been given to Henry Hastings to appear and shew cause why his license as a victualler should not be revoked, for a violation of the license law in selling liquor on the Lord's day. And now the said Hastings appears agreeably to said notice, and after a full hearing, the board are of opinion that the allegations against said Hastings are true; it is thereupon ordered, that the license heretofore granted to said Hastings, for the causes aforesaid be and hereby is revoked.

The committee to whom was referred the petition of the proprietors of West Boston bridge, praying that Cambridge street be continued from the West end thereof to the place where the toll house now stands, so that Charles street may have its termination on Cambridge street: Report, that they are of opinion that it is not expedient to grant the prayer of the petitioners to the extent asked for, but they recommend that so much of it be granted as relates to the extending Cambridge street from its present termination at the western part thereof to West Boston bridge, a distance of about four hundred and fifty feet; and that the future care and maintaining of the same be assumed by the City. That directions be given to the superintendent of streets, to cause said street to be macadamized, provided the abuttors thereon will agree to set the sage stones and make the side walks to the acceptance of said superintendent, otherwise to direct the same to be paved. For the committee, W.m F. Loring. West Boston bridge. Cambridge st.

Read and accepted, and thereupon Resolved, that the safety and convenience of the inhabitants require that Cambridge street should be extended and laid out in manner as above described, and the same is extended & laid out accordingly.

William A. Brabiner and Lemuel P. Grosvenor were nominated and appointed Auctioneers, for one year from the first day of July last. Auctioneers

Shaw. Cross street. An agreement signed by Robert G. Shaw and others, that if the City authorities will continue the Cross street drain through the passage way of twenty feet wide laid out in the rear of the lots on Marginal street to Richmond street, and from thence continue said drain down said street to the dock, that they will build in a satisfactory manner or pay the expense of so much of said drain as shall pass by in the rear of their respective estates bounding on said passage way. Read and committed to the Mayor to have said drain laid as prayed for; with instructions to see that the City have a sufficient right vested in it.

Eliot. New Hotel. Common & Beacon Streets. Application of William H. Eliot, in behalf of the proprietors of the New Hotel, for liberty to build arches under the side walks in front of the same on Common and Beacon streets. Read and committed to Aldermen Loring and Upham, to report on what terms the same shall be granted.

Constables. William Andrews nominated & appointed a Constable for the year ensuing.

Watchmen. Stephen Morse, James Foster & Charles Mears Rand Lord, were nominated & appointed special watchmen agreeable to the application of the Massachusetts, Marion, Boston, State, Manufacturers & Mechanics, Suffolk, City, Eagle, American, Commonwealth and Globe Banks. That warrants be issued accordingly.

The following is the return on the petition or remonstrance of Caleb Eddy and others, against the proprietors of the Gas works viz: "Suffolk ss. Boston, July 19. 1828. I certify that I served the within named Corporation called the gas work company with an attested copy of the within petition by delivering the same to Robert C. Long in hand, he being represented to me as principal agent of said company. George Robinson, Constable. 229. Eddy Gas works

The Mayor reports that a house for the engine No 5. has been built to the satisfaction of Mark Weare, according to agreement. Engine No 5.

Petition of James Freemans & others owners and occupants of estates in Fayette place Common street, praying that the side walk in front of said place may be made wider. Read and committed to Aldermen Savage and Hall to consider & report. Freeman, Common street

The board then proceeded & viewed Cooper street. Cooper St.

Adjourned to Monday next four o'clock P. M.

At a special meeting of the board of Aldermen on Tuesday the twenty ninth day of July Anno Domini 1828. Present

The Mayor and the whole board of Aldermen except Aldermen Donnelly and Kendall.

Oliver st.

Ordered, that the committee of the district cause the earth which is digging from the reservoir on Fort hill to be carried and laid upon Oliver street where it shall be necessary for the purpose of raising the same.

Allston Washington picture

On the application of Washington Allston and others, praying for the loan of Stuarts picture of Washington from Faneuil Hall for an exhibition of the portraits taken by Gilbert Stuart deceased, intended for the benefit of the artists family. Resolved, that considering the nature and object of this application being for the benefit of the artists family, that the request be granted, subject to be returned whenever it may be required by the Mayor and Aldermen.

Constable

Derastus Clapp was nominated & appointed a Constable in the place of Jedidiah Sawtell who held that office the last year.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen, on Monday, the fourth day of August, Anno Domini, 1828.

Present

The Mayor & the whole board of Aldermen.

Application of the Deacons of the First Baptist Society, praying that Union street near the Green Dragon tavern may be so widened, as that they be permitted to project the steps of their Church four feet eight inches into said street. Read and committed to Aldermen Savage, Hall, Apham and Armstrong to consider and report. Baptist 1st ch. Union St. Green dragon.

Petition of John Gray, praying that Hanover street may be widened, in a line with his house, to Portland street. Read and committed to Aldermen Kendall and Pickering, to consider and report. Gray Hanover St.

Petition of Sarah Brinckley and Alice Bryant, praying that damages may be awarded to them, for the loss of money paid for repairs, and for being interrupted in their business as milliners, if the City shall cut off their shops for the purpose of widening Washington street near Bedford street. Read and committed to Aldermen Kendall & Pickering to consider & report. Brinckley Washington St

Solomon B. Morse, nominated and appointed a Constable, for the year ensuing. Constable

Stevens
Fayette place

The committee on the petition of Isaac Stevens, and others, praying leave to widen the side walk of Fayette Place, on Common street, Report, that it is expedient, that the petitioners have leave to take up all the side walk in front of their houses in Fayette place on Common street, and to relay the same, at their own expense from the house of Amos Lawrence to the house of John Lowell, Esquires, inclusive, but under the direction of Mr. Patterson, the Superintendent of streets, and that in relaying the same, the same may be made wider, not exceeding however an addition to the present width of five feet. Jas. Savage, Per order.

Read and accepted.

Sigourney

The committee on the petition of D. A. Sigourney, praying, that a nuisance may be abated which exists in the vats of the Distil House of the late Thomas Williams, reported, that they gave the earliest attention to the subject, and found that the circumstances of the work made the interference of this board urgently expedient. Having consulted with an eminent physician, by whose opinion their own was confirmed, they forthwith directed that the work should be suspended until the middle of October next, but on the second day after, the committee urged by the undertakers of the work, reconsidered their direction and agreed to permit the work to go on, but in a more energetic manner so that by applying many hands to the service & by working in the night, the offensive liquid amounting to

many

many thousand gallons remaining in the old vats of the distillery could be totally discharged; and the committee are happy to conclude this report with the statement of this fact, that the cause of complaint is removed. Ja. Savage, per. ord.

Read and accepted.

The committee of the City Council on the subject of Deer Island, and on the application of Col. Totten as communicated by the Mayor's message of the 31st. July, last respectfully report, that they are of opinion that the conveyance requested ought to be made by the City to the United States, and according to the authority given them by the City Council they have caused the necessary papers to be prepared, and also a writing to be executed under the hand of William Bellamy tenant on the Island declaring his assent thereto & the said conveyance and that it should not affect the obligations of the City contained in their lease to him. Your committee therefore recommend that the necessary authority be given for the execution of such conveyance; which papers are herewith respectfully submitted by order of the committee. Josiah Quincy, Chairman. Deer Island

Read and accepted, and thereupon ordered, that the Mayor cause the conveyance to the United States of certain parts of the shore, and flats of Deer Island, for the purposes therein expressed, in the form as prepared and submitted by said committee.

Sent down for concurrence.

Came up concurred.

Bellamy

Application of William B. Bellamy, praying, that some repairs may be made to the Barn on Deer Island; and also that a ladder may be provided to be used in case of fire. Read and committed to Aldermen Loring, Upham and Armstrong, with full authority to cause the same to be done, if they shall see fit.

Loring
Peck lane

Petition of Joshua Loring and Robert Roberts, praying, that the common sewer in Peck lane may be taken up and repaired and the expense thereof assessed upon those whose estates shall be benefitted thereby. Read and thereupon ordered, that public notice be given to all persons interested to appear before this board, on monday next, four o'clock P. M. and shew cause if any they have, why the prayer of said petition should not be granted.

Simmons
Ann St.

Petition of John Simmons, and others, praying, that the common sewer in Ann street, between Cross street and the Mill Creek may be taken up and laid anew and the expense thereof assessed upon those whose estates shall be benefitted thereby. Read and thereupon ordered, that public notice be given to all persons interested to appear before this board, on monday next, four o'clock, P. M. and shew cause if any they have, why the prayer of said petition should not be granted.

Auctioneer

Edward Tilck Hall nominated & appointed an auctioneer No. 88 Wales Street, for one year from the first day of July last, he to give bonds as the law directs.

Spring St.

It appearing to this board, that notice has been given to all persons who are owners or otherwise interested in the estates bounded on Spring street to appear at this time and shew cause if any they have, why said street should not be hawed. And now no person appearing to object, it is thereupon ordered, that said street be hawed and that notice be given to the several owners to relay their side walks, according to law.

Green Dragon Lane.

The committee to whom was referred the subject of widening the lane near the Green Dragon tavern; and also certain memorials of the Boston Mill Corporation, relative to the filling up the mill creek, and also relative to certain claims of the City of Boston on said Corporation, ask leave to report in part, the following resolutions, for the consideration and adoption of the City Council which are respectfully submitted, by order of the Committee. 26th April 1828. Josiah Quincy, Chairman.

Resolved, That whenever the Green Dragon lane shall be widened to the extent of forty feet, that the City will relinquish the exclusive right to any land belonging to the City, which shall be included within the said forty feet; and also will pay the sum of seven thousand dollars, provided, the said widening shall cost the City no more than the land and sum above mentioned; and provided also, that the Boston Mill Corporation, shall on or before the first day of June next, relinquish all right to the Mill

Creek

brook eastward of Cross street, and all objection to the filling up the same. Resolved, that a joint committee be appointed with full powers to settle all existing claims against the Boston Mill Corporation on such terms as they may deem expedient. (A.) Read and accepted in Common Council, and the resolves passed, with an amendment at A insert. "And it is hereby ordered, that two thousand dollars of said amount be withdrawn from the appropriation for widening streets, and that the remaining five thousand dollars be withdrawn from the reserved fund, and Messrs E. Williams, Otis, Bigelow, Seaver and Pratt, be a committee on the part of the Common Council in conformity to the second resolve. Came up for concurrence. Read & non concurred.

Boston free bridge

The committee of the board of Aldermen to whom was referred the question of concurring with the Common Council, in the resolves passed by that body on the 7th July last, in regard to the acceptance of the Boston free bridge, and who were instructed to inquire into the whole subject, made a report, which was read and accepted and thereupon ordered, that the Mayor, Aldermen Upham and Armstrong with such as the Common Council may join, be a committee to carry the same into effect. Vide proceedings of August 6. Page 238.

Boston free b. memorial

Memorial of the Boston free bridge corporation tendering said bridge for the acceptance of the City.

Read

Read and committed to the Mayor, Aldermen Upham and Armstrong, with such as the Common Council may join, to consider and report. Sent down for concurrence: came up concurred, and the Common Council joined on its part Messrs Betton, Seaver, Paine, Howe, Tileman, Lane & Woods.

House offal

Ordered, that the agreement entered into by the Mayor, in behalf of the City, and Messrs Elias Seaver and Isaac Rand in regard to the house offal, be and hereby is approved by this board.

Rogers Mummy

Application of Leonard Rogers for a license to exhibit an Egyptian mummy, lately licensed to Jonathan Buffam. Read, and the prayer thereof granted, having therefor one dollar per week.

Fuel

Ordered, that the Superintendent of streets be authorized to provide fuel for the several public buildings, including the several school houses.

Oliver Street

Ordered, that Aldermen Kendall and Pickering, be a committee to open a negociation with William Sullivan, Esq. in relation to widening Oliver street.

Adjourned to Monday next, four o'clock P. M.

At a special meeting of the board of Aldermen, on Wednesday the sixth day of August, Anno Domini, 1828. Present

The Mayor, and the whole board of Aldermen except Alderman Upham.

Boston free bridge.

The board reconsider their former vote on the report of the committee, in relation to the Boston free bridge, and thereupon ordered, that the same be accepted and passed, as taken into a new draft, which new draft is as follows viz: The committee of the board of Aldermen to whom was referred the question of concurring with the common council in the resolves passed by that body on the 5th of July, last, in regard to the acceptance of the Boston free bridge, and who were instructed to inquire into the whole subject, respectfully report, that in conformity with their instructions your committee have carefully examined all the records and proceedings, relative to the obligations ~~xxxxxx~~ assumed or resulting from the acts of the city, touching the subject matter referred to them, and have also personally examined the upper works of said bridge, and made also a personal survey of the several piers from the water, by sailing under the several arches of said bridge; and as the result ask leave to state, that it appears from the report of the joint committee, and the resolves accompanying it, that the bridge is not actually finished; but that the abutments of the bridge

bridge are in such a state of forwardness as to warrant a belief the same may be finished in the course of the ensuing month, together with all other matters which remain to be performed by the free bridge Corporation, to complete this undertaking in strict conformity with the provisions of the previous covenants, entered into with the City of Borlon. Your committee further observe on this point, that it does not appear that the said Corporation has ever yet requested the City to accept said Bridge; on the contrary, by the last communication made by that Corporation, and signed John Emory, President pro tempore; which though without date, yet, from circumstances must have been communicated on or about the 20th of June last, it appears that the Corporation do not consider the same in a state to be surrendered, as they carefully state in that communication that "they have much satisfaction in believing that they will soon be able to surrender to the City the bridge, in the manner required by the City." Under these circumstances your committee are of opinion that it would be premature to declare an acceptance of the Bridge, at this time, and they recommend a nonconcurrence with the resolves of the Common Council in this respect. The opinion of your committee is further strengthened by the fact, that the month anticipated by the joint committee above mentioned as sufficient satisfactorily to complete the said bridge has now elapsed, and no important progress has been made to that end, as far as your committee can perceive in

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Boston free bridge.

that interval. In the opinion of your committee the reason stated by the joint committee is not sufficient, in a case of this nature to justify the City Council in acceptance of this bridge; not only, before it is finished; but before any request is made that it should be accepted by the persons who have undertaken to erect it. The reason stated in this instance is the difficulties in passing the draw, which they apprehend cannot be well obviated, except by the City's assuming the care of this important concern. But your committee apprehend that these difficulties are incident to the very nature of the undertaking, to which the navigating interest must submit, for a time; and as by the terms of the act establishing this free bridge, that corporation are bound "to keep the bridge in repair, to raise the draw, and afford all necessary and proper accommodation to vessels that have occasion to pass the same by night or by day, until the City shall accept it" the interests of navigation seem to be guarded, as far as practicable in this respect, by the provisions of the act, and there seems to be no necessity, but on the contrary an apparent improvidence in the City to assume these responsibilities, anticedent to the time specified; particularly as such an act of supererogation on the part of the City Council would deprive the City of one of the strongest inducements operating upon that Corporation to effect an early and satisfactory completion of the Bridge. No such impediment ought in the opinion of your committee to be thrown in the way of an

event

event so unquestionably ~~desirable~~ desireable; on the con- Boston free
trary every facility to an early surrender to the City bridge
of this Bridge completed, and to the acceptance of the City
Council ought to be given: so far as such facility is com-
patible with the obvious interest of the City and duty
of the City Council. The actual state of the obligations
of the City Council at the present stage of the building
of the Bridge would naturally be expected to be as fol-
lows. Whenever the free Bridge Corporation shall have
completed the Bridge, according to the direction of the City
Council, the natural and only proper course should be
for that Corporation to state the fact, formally to the City
Council, and request them to "approve and accept the same"
it being time enough for the City Council to determine
whether it be such as they can accept, when the Corpor-
ation have come themselves to the conclusion that it is
in a condition to be proffered. Your committee are however
far from wishing to create delay, or to throw obstacles in the
way of that strong interest, which the City has to have this
Bridge accepted as soon as it is in a condition to be accepted.
They therefore ask leave so far to deviate from what they
apprehend the proper course as above stated as to take the
Report of the joint superintending committee according to
its tenor; and for the sake of expediting a settlement or
admitting it to be in the nature of a codicil that
the Bridge has been built according to the general "direction"
of the City Council, to specify what are the particulars wch

are

2 1/2 Boston free bridge

are the particulars, which are requisite to be executed before the City Council can in justice to the City "approve", and until it can so approve by the terms of the first and controlling vote upon this subject, that of the 5th of February, 1824, of which all the subsequent votes were merely executory, the City Council has no obligation to, and cannot consistent with its duty to the City, accept the bridge &c.

Your committee therefore state the following obvious defects in the bridge being of a nature as they apprehend, which while existing no prudent man would accept such a bridge in the performance of our contract, and particularly of one which originated in and was laid upon the broad basis of being "effected without any expense" because they are of a nature which would require an instant expense and some of them an expense to a very considerable amount. These particulars are as follows viz: 1. In the first pier beginning from the north, the second post on the west side has burst out of the mortice, the mortice itself being broken out, and the cap has no support whatever from the said second post; the whole of this pier has been pushed & is said twenty inches out of its place by the settling of the adjoining abutment wall. 2. In the second pier from the north the braces are separated from each other so that they are not joined at the head & one of them is badly split. 3. In the third pier the braces are separated in like manner, so that they do not join at the head. 4. In the sixth pier the cap appears nearly broken.

5. In

5. In the seventh pier, the cap is split, and the braces are separated and do not join at the head. 6. In the last or most southerly pier the second post on the east side is split and almost if not quite useless. 7. All the centre parts of the caps through the hither part of the bridge near the draw are apparently sunk in the middle of the pier. 8. The railing on the west side and north of the draw has three posts broken, and also the upper rail so as to require to be made anew. 9. The top railing on both sides of the draw are partially gone, and in one place altogether. 10. On the south side of the draw, and on the draw, and on the west side of the bridge, the first length of the railing is broken off from the bridge, & also on the same side a little further south three posts are broken. 11. On the east side of the bridge, the first post of the fence, which separates the travelling part from the foot path is entirely gone. 12. On the north side of the draw one post with two rails, are gone. 13. There are no irons, laid lengthways to protect the outer edge of the leaves of the draw; the hinges of the flaps are not sunk, and one of the flaps is broken off. 14. The bridge is in no part painted, and by the delay to paint, it must already have suffered no inconsiderable injury from the sun and rain. 15. There are no lamps. 16. The railing on the abutments is incomplete. 17. The abutment on the north side adjoining the bridge is understood to have so settled as to

&c.

Boston free Bridge

be already out of a perpendicular line, and it is said will very shortly require to be relaid. The facts in this case have not been readily ascertained by your committee. They refer to them only for the purpose of a particular investigation antecedent to accepting the bridge. The obligation to cede to the City the street from Watts' corner, and to finish it to the satisfaction of the Surveyors of highways seems also a condition precedent to such acceptance.

In making this report, your committee have been actuated by the single desire to expedite a final settlement of all the questions which have or must arise out of this subject, and they recommend, a joint committee be appointed with full authority to make a final adjustment of all the several particulars herein before specified & and such others as ~~shall~~ on an actual survey may in their judgment be justly included in the contract, and on their report, that the same has been satisfactorily executed, that the City Council forthwith proceed to accept the said bridge, and make the requisite provisions relative to the draw and the navigation having the same. All which is respectfully submitted. By order of the committee, Josiah Quincy, Chn.

Read and accepted, and thereupon ordered, that the Mayor, Alderman Upham and Armstrong, with such as the Common Council may join, be a committee to carry the same into effect as specified in the foregoing report.

Sent down for concurrence.

Nov 3 Nonconcurred, in the Common Council.

The committee of the board of Aldermen, to whom was referred the memorial of Charles Bowen and others, in behalf of, & as a committee of the company attached to engine No. 11, respectfully Report, That they have examined into the circumstances which led to the suspension of that company so far as was deemed necessary for the satisfaction of its members & as the public interest seemed to require. Your committee in the first place had an interview with the Chief Engineer, and the board of Engineers at which six members of that body were present viz. Messrs. Bacon, Darling, Fox, Emery, Clark and Weare. In the course of a free conversation & inquiry on the causes which led to the measure; the Chief Engineer stated, that No. 11 was a company, which he had always been inclined to foster, as it possessed a great degree of zeal and activity, and was ambitious both of service and distinction. From some cause, however, they had been involved in repeated difficulties, sometimes with the Engineers, at other times with other companies; that in consequence, a strong prejudice had been excited in the department against it, which so far as he could judge, was very general. That he had often conversed with the Captain and leading members of No. 11, on the subject, who not denying that this obnoxious feeling did exist, attributed it to envy and jealousy, arising from their superior alertness and activity at fires; while the members of other companies attributed it to a head strong, overbearing temperament, existing in that company, leading them to disregard

Engine No. 11.

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116. the rights of other companies, and to thrust themselves into
Engine No 11. stations, which did not belong to them, a course of conduct
to which those companies, being for the most part composed
of individuals of a more advanced age, were not disposed
to submit; that for some cause a peculiar degree of irrita-
tion existed between engine companies No 11. and No 1, which
had proceeded, on an occasion of their accidentally interfering
with each other; when returning from a fire at Dorchester,
to the length of blows, given and received by members of both
companies. From the situation of affairs and from the preju-
dice above alluded to, existing in the department against No 11,
he was fearful that further difficulties and collisions might en-
sue, which might impair the efficiency of the department or
perhaps endanger the peace of the City. Under this impres-
sion he deemed it his duty, to suspend temporarily, their
services, as the surest mode of obviating the difficulties,
which seemed to impend; to lay the subject forthwith before
the board of engineers, for their advice, and ultimately before
the board of Aldermen. This last step he had only delayed,
in the hope that some circumstance might occur which would
render it unnecessary for him to trouble the Aldermen with it.
The Chief Engineer further stated, that this suspension
he did not intend as a punishment or disgrace to No 11, nor
that it was it done to gratify, or to decide in favour of No 1,
that he had so declared to the the Captains of both com-
panies; that his great object was to get time for considera-
tion as to what was best to be done, & when a calm state

of

of things should be induced; that as soon as the board of Engineers could be conveniently assembled, a meeting of it was called; and a vote passed unanimously, (every member except one being present), in the following terms "Voted, that in the opinion of this board, the order of the Chief Engineer, suspending engine Company No. 11, was such as meets the full approbation of this board, and they recommend that continue suspended until such measures are taken as in his opinion will ensure harmony in the department." The Chief engineer having concluded, the other engineers, in turn expressed opinions to the same general effect; unanimously disavowing any intention to take part in the controversy between No. 11 & No. 5, all agreeing that strong prejudices existed in the department against No. 11, that they were of an extent to render decisive measures absolutely necessary. Your committee next had an interview with Chief. Engr. Charles Brown; Luke Bemis Jun. William H. Shear and William L. Baxter, a committee appointed for this purpose by No. 11 and well qualified to represent the feelings and to do justice to the interests of that company. In this interview your committee endeavoured to possess themselves of the general views & wishes of the company, as well as of the opinion of its committee and without recapitulating the particulars of the difficulties which have arisen, and their statement of the causes of them, your committee will confine themselves to essential points. In the first place, on being informed of the declar-

2.4.5. Engine No. 11.

ation

218. ation of the Chief and other engineers, that the suspension
Engine No 11. was not intended as a disgrace; nor as any evidence of
intention to take part in the controversy in No 11 & No 4,
but that it was a measure adopted out of regard to the
harmony of the department, and as a measure of pre-
caution. The committee of No 11, with one consent declare
that such being the case, and if it should be made
distinctly to appear, in the report of your committee, it
would be sufficient, as far as it went, and the company
would be satisfied with it, as clearing them from any
disgrace which attached to the suspension; being not sat-
isfied however, that the circumstances called for so strong
a measure. On the subject of prejudices existing in the
other companies against No 11. The committee of that
company admitted that they existed, to a certain degree,
existing as they thought from envy. No 11 being, as they s.
"more alert than other companies, and first at fires, usu-
ally attaining the place of distinction, of which other com-
panies were jealous." One of the committee (Mr. Spear)
who had been formerly Captain of No 11 acknowledged
that very considerable prejudices against that company
existed among a number of individuals, in favour of
the department" He attributed these prejudices to the
first formation of the company, at which time they were
called "boys", a term which had been more or less ap-
plied to the company ever since. He said the prejudices
had been, he thought kept alive through the influence

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of the members of the old fire department, and he was sensible had involved the company and the department in some difficulties. On the question being put, as to what course, considering all circumstances, it was most reasonable to adopt, the committee of No. 11 in submitting that to the consideration of the Board of Aldermen, stated that considering the course which had been adopted towards them, the "desire of the company now was to be discharged with honor." This statement was made at different times, by different, if not by all the members of that committee. Upon the whole matter, as developed by these investigations, your committee observe, that they have scrupulously avoided entering into any examination as to the origin and nature of the difficulties which are said, at any time, to have occurred between No. 11, any Engineer, or any of the members or companies of the fire department; because they were satisfied that such investigations would tend still further to embarrass the department, and lead to no useful or satisfactory results whatever. They have therefore confined themselves to the actual state of things, which was on all hands acknowledged to exist. In reference to which they ask leave to state 1. On the course pursued by the Chief Engineer, whose authority to suspend in this case has been questioned, on this point, your committee entertain no doubts. By the second section of the ordinance, establishing the fire department, it is ordained "that the Chief Engineer shall

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250. in all cases of fire; have the sole and absolute control &
Engine No. 11. command, over all the Engineers and all other persons of
the fire department." In the opinion of your committee
this control is not, and ought not to be limited to the
fact & time of the actual existance of fire. But that it
is a reasonable construction of this power, that it exists
on the occurrence of any known circumstances, by which
in his judgment, in case of fire, without such control, the
safety of the City might be endangered. Thus he may order
that, in case of fire, particular Engines shall not quit the
City, or go beyond a certain limit. So also, if, in his
judgment the coming of any member or company of the
department to a fire, would, under particular existing cir-
cumstances endanger the peace or safety of the City, he
may prohibit or suspend their services, as a measure of
precaution. From the terms of the ordinance, it is very
plain, as also from the nature of the subject matter, that
it was the intention of the City Council to vest in the
Chief Engineer, a very large power and discretion, relative
to the operations of that department; and it is for the
interest of the City, that the sense of his responsibility
should extend to all the relations of the department,
that his powers respecting arrangement and control should
be understood to extend to necessities & exigencies reasonably
to be anticipated, in case of fire; and to provide against
them as well as against those occurring during the actual
existance of fire. Nor can your committee conceive a

Strange

stronger or more justifiable case in point of principle for the exercise of such an authority than that, in which from circumstances, he is satisfied in his sound judgment, that the coming of particular members to a fire would have a natural or probable tendency to create disturbance or endanger efficiency. The only error, if any, which has occurred in this case seems to your committee to lie in omitting to lay the subject immediately before the Board of Aldermen; which omission, however, seems to be satisfactorily accounted for and justified, in this desire not to acquaint the Board with difficulties in the department unless unavoidable; & by the hope, he entertained that events might not render it necessary. With respect to the actual state of feeling & prejudices existing among the members of the fire department, in general, in relation to No 11, your committee are satisfied not only that they exist to the degree known to and acknowledged by the committee of that company, but to a degree much greater than they seem to apprehend, or acknowledge. In coming to this conclusion, your committee have not confined their inquiries to the engineers, but have extended them to a majority of the captains of the other companies, and to many of the most judicious members of the fire department; who with scarcely an exception, have declared their opinion, that the interest of the department required that measures should be taken in relation to No 11. of a very decided & conclusive character. In expressing this opinion, however, your committee do not understand, or

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Engines No. 11.

intend to intimate, that these difficulties & prejudices are attributable exclusively to the misconduct of No. 11, or that what has occurred, furnishes grounds of reflection on the character of the individuals who compose it. They attribute it, like Mr. Spear & a character acquired at the "first formation of the company" of which from some cause or other they have never been able to divest themselves. Viewing the subject in the light derived from experience, your committee are strongly of opinion that it is difficult, if not impossible, for a company formed wholly, or in a very great proportion, of persons under age, to be brought, with that known & avowed character, into a department in connection with a number of companies, composed for the most part of men of full age, and so to conduct itself as not to create feelings of discontent and animosity. It is natural, & inevitable for young men so associated to feel strongly the "spirit of the corps" & to possess alertness & vigor, without a corresponding degree of judgment & self restraint. To be at a fire, & to press earnestly for the place of destination seems to be inseperable from the nature of such a company, but zeal should not, at all times, be hampered with the requisite discretion or respect for the rights of others, as is more likely to be the case, a character is gradually attained, by such company, of being overbearing, insolent, and intrusive upon other companies, which on the one side, is denied, & on the other is affirmed & felt, until some accident brings the latent passions into action, to the discredit

credit or to the injury of the service. That a great degree of this "spirit of the corps" does exist in No. 11. That it has occasionally been displayed, in a manner which has given offence to very many, and those among the most judicious members of the department, is unquestionable. It is, also, as little to be questioned, that the wish is very general in the department, that engine No. 11, should be placed under other auspices, and that it should be done in a way that should cast no reflection on the characters of the individuals who compose that company; Your committee did not find that the views entertained by the committee of No. 11, greatly differed from those herein expressed, so far as respects the origin of their difficulties, on the contrary all of them, particularly Mr. Thorn seemed to have a just sense of their nature, it was true indeed, they attributed those difficulties to the envy and jealousy of other companies of the merits of No. 11, more than, perhaps a larger acquaintance with human nature would justify. Upon the whole, your committee found in the committee of No. 11, that they doubt not there will be found among the members of that company, a well disposed [illegible] wish to treat the subject according to its nature, & to take such a course as the actual state of things may seem to make expedient.

This disposition, honorable to them, & which will relieve the City government from much embarrassment, your committee deem it expedient that the board of Aldermen should meet & cultivate. They recommend, therefore, that a committee

mittee be appointed with full authority to take such measures relative to the Company attached to No. 11. as they may find the interests of the City require; & to grant an honorable discharge to its members; and to express the thanks of the Board of Aldermen, for their many & useful services; and, also, with full power to make such arrangements relative to the articles purchased & expenses incurred by that Company, & for their reimbursement of them, as shall, in their opinion, be just and equitable. All which is respectfully submitted. By order of the Committee, Josiah Quincy, Chairman.

Read and accepted, and referred to the Committee on the fire department, with full power to carry the same into effect.

Engine No. 11. Com.

Memorial of the committee of engine company No. 11. praying, that said company may receive an honorable discharge from the fire department, and that a committee be appointed with full authority to settle all accounts and affairs with said company. Read & committed to the committee on the fire department, with full power to settle all accounts. & give said company an honorable discharge, and to express the thanks of the City to them, for their many and useful services.

Common Council

Benjamin T. Pickman, Esquire, member qualified.

Mr. of the Common Council from Ward No. 1, came up & tendered by Wm. Belknap, and he was duly qualified to

take

take his seat as member of said Council; by taking the several oaths required by the Constitution and laws, before the Mayor. 255.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the board of Aldermen, on Saturday, the ninth day of August, Anno Domini, 1828.

Present

The Mayor, Aldermen Loring, Randall, Upham & Armstrong.

A doubt having been expressed to the board of Aldermen, whether the westerly pier of the Warren bridge should be located on the north or south side of the draw, & the proprietors of that bridge having, at the request of the board petitioned their driving said pier until the subject should be considered by the several interests connected with it. Whereupon ordered: That public notice be given; that the board of aldermen will meet on Thursday next, at four o'clock, P. M. to hear any representations which may be made for the purpose of selecting the most suitable place for the location of said pier. Warren bridge

Ordered: That the Mayor be authorized to discharge a mortgage given by Oliver Hatch to the City, & in lieu thereof to take Guy Wenzie's mortgage on the same estate, he S. Hatch having sold estate to them. The principal of said mortgage is $3880 31/100. Hatch's mortgage

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday the eleventh day of August, Anno Domini, 1828.

Present.

The Mayor, and the whole board of Aldermen, except Aldermen Loring and Upham.

Green Dragon Lane

Order of the Common Council, appointing Messrs. Russell, Waters, Fox, Otis and Turner, with such as the board of Aldermen might join, a committee to consider and report on what terms a settlement may be effected with the Boston Mill Corporation in the Mill Creek; also all other existing claims of said Corporation. Also what measures should be adopted by the City for opening and widening Green Dragon Lane? Came up for concurrence. Read and concurred, and the Mayor, Aldermen Donnelly, Savage & Kendall are joined.

Annable

Petition of Samuel L. Annable, a member of the engine called the Rapid, No. 13, for some compensation in expenses and loss of time in consequence of an injury received at a fire on the twenty ninth day of March last. Read and committed to the Mayor, Aldermen Loring and Armstrong, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part Messrs. Bellow, Stevens, Turner & Clary.

Petition of Alfred Welles, and others, praying, that the door steps in the houses belonging to the estate of William Phillips. Esq. deceased, in Beacon street may be so altered as that they shall not project into the street, beyond what the law allows. Read and committed to Aldermen Loring and Upham, to consider and report. Welles Beacon St.

Application of William R. Casey and George Harvey, for liberty to erect a wooden building on the County land between the Court house and Court street, for the purpose of exhibiting a Panorama of the City of Mexico, for about two months. Read and committed to the Mayor with authority to grant it, if he shall deem it expedient after a consultation with the Chief Engineer of the fire department. Casey Mexico.

Application of Taylor L. Southwick for a license to exhibit three live Porcupines, and one Guiana; at a store in North Market street. Read and the Mayor there of granted until the further order of this Board; on paying therefor one dollar. Southwick Porcupines

Petition of Nathaniel Hill, & the heirs of Daniel Badger, for compensation for land thrown into the street in front of Engine House No 1, Hanover street. Read & committed to the Mayor, Aldermen Fennelly & Armstrong, to consider and report. Hill Badger Hanover Street

Chase.

Petition of Noah E. Chase, praying that he may have permits granted to him as heretofore to open drains, for such persons as may see fit to employ him; Read and referred to the Mayor, with authority to grant the same if he shall deem it expedient.

Attorney Gen. vs. the City.

Information filed by the Attorney General, returnable to the next Supreme Judicial Court, in Dedham, in October next, against the City of Boston, for a nuisance in not keeping in safe repair the road at South Boston, running in a northerly direction from Dorchester turnpike, to the Boston Free Bridge; the same is stated to be out of repair, & altogether impassable, by reason of a large pond, suffered to collect from the sea, and remain therein, & that the same is highly dangerous to the lives and limbs of all the citizens of the Commonwealth. Read & referred to the City Solicitor, to attend to the same before the Court.

Weston vs. the City.

Summons wherein the City of Boston is summoned to answer to the Inhabitants of Weston, for the support of certain paupers, returnable before the Court of Common Pleas, in September next. Read and referred to the City Solicitor to attend to the same, before the Court.

Rowe

The committee on the memorial of Joseph Rowe, Esquire, setting forth, that the eaves and gutters on the north side of the east wing of the County Court house

house, project and over hang land owned by himself and sisters, and praying, that such recognition of his right may be made by this board as shall combat the presumption, which prescription for more than twenty years might raise; have considered the subject and examined the premises and plans, are of opinion that his request is reasonable and right, and that the following resolve be passed, conformable to his request. Whereas the eaves and gutters of the north sides of the east wing of the County Court House project about six or eight inches more or less, beyond the wall and over the land owned by Joseph Rowe Esquire and his sisters, Thereupon resolved, That the continuance of the said projection shall not be construed to vest any right in the City or County to the land under or the space occupied by the said projection, but the rights of said Rowe and sisters shall be and remain unimpaired, notwithstanding any presumption to the contrary arising from any length of continuance thereof.)

The committee on the applica- Eliot
tion of William H. Eliot, for leave to erect arches under Beacon & Common
the street in front of the Hotel now building on Common streets.
and Beacon streets, Report, that in the opinion of your committee this request ought to be granted; and in consideration of the great advantages to be derived to the City by the erection of said hotel, and the pecuniary sacrifices made by

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the gentlemen associated in this enterprize for the public accommodation, your committee respectfully recommend, that the permission be granted, without requiring the customary charge; but that all other conditions contained in the order passed on the eleventh day of September A. 1823, in relation to arching under streets, be strictly complied with.

For the committee. John T. Loring.

Read and accepted.

Reg.r of deeds

Memorial of the Register of deeds, praying that the indices to some of the old volumes of records in his office may be copied; and such alterations made in the alcoves and cases &c. in his office as may be found necessary. Read and committed to the committee on the subject of the public records, to consider and report.

Simmons & Inn st.

It appearing to this board, that notice has been given on the petition of John Simmons, and others, to have the common sewer taken up and relaid in Inn street, between Lincoln street and the Mill brook. And now no person appearing to object, it is thereupon ordered, that the same be referred to the Mayor with authority to cause the same to be opened as prayed for.

Loring, Beck lane

It appearing to this board, that notice has been given, on the petition of Joshua Loring, and others, that the common sewer in Beck lane, may be taken

taken up and relaid. And now after a full hearing of 261.
the parties, it is thereupon ordered, that the same be
referred to the Mayor; with authority to cause the same
to be opened as prayed for.

On the application of Samuel G. Bailey, Spend thrift.
Bayley. Ordered, That a complaint be made and signed
& directed to the Judge of Probate of the County of Suffolk,
that Walter Bailey, of said Boston, does by excessive drink-
ing and idleness so spend, waste and lessen his estate as there-
by to expose himself and family to want and suffering
circumstances, and the City to a charge or expense for his
and their support and maintenance; and requesting that a
Guardian be appointed, according to law.

Ordered, That Aldermen Loring, School
Hall and Upham, be a committee of arrangements, for Com. of arrangm.
the annual visitation of the Public Schools, on the 20th visitation of.
instant, and that they cause a dinner to be provided in
Faneuil Hall; and that said committee cause cards of
invitation to be sent to the Clergy, and the several gen-
tlemen holding public offices in the City; and also such
strangers visiting the City, as they may deem proper.

Ordered, That the committee Oliver Street.
of the district, Aldermen Kendall & Pickering, be authorized
to cover the well in Oliver street.

Boston fee bridge

Order of the Common Council appointing Messrs. Bolton, Seavers, Paine, Howe, Pickman, Lane and Fowle, with such as the board of Aldermen may join, a committee with full powers to accept from the Boston fee bridge corporation, the surrender of the fee bridge, with its abutments, upon compliance by said corporation with the terms and conditions on which the City agreed to accept the same. And that said committee be fully empowered in case of difference to submit all matters of difference between the City and said Corporation to the arbitration & award of three persons mutually to be chosen, whose decision or that of any two of them to be final and binding on the parties, and that said committee be empowered to carry into effect said award; so far as the same shall devolve on the City. The said committee to report their proceedings as soon as might be. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Loring, Tennelly, Tileston, Upham and Armstrong are joined.

Baptist Ch. &c.

The committee on the application of the Deacons of the first baptist Church, for liberty to propel the steps of said Church, four feet, eight inches into Union Street, report, That the power of the City government does not extend to a degree sufficient to afford the relief prayed for, and that the petitioners were satisfied of this result, & will proceed to erect their building in conformity with provisions of the statute of the Commonwealth & the ordinance of the City.

Read and accepted.

Reward offered.

Repeated representations having been made to this board of malicious or wanton injuries done to the houses or fences of several individuals, by marking them with paint, taking down signs, stealing door plates, twisting off knockers and the like; Ordered, that a reward of twenty dollars be offered, for the detection of any person or persons offending as above, or in like manner, so that they may be prosecuted to conviction.

County House.

Ordered, that Abraham A. Dame, Esq. be permitted to surrender the County House; and that Wm. Lamb, 2d, Worcester be permitted to take and hold the same upon the like terms and conditions as said Dame held the same.

Granary burying place.

Ordered, that the Mayor, Aldermen Loring and Upham, be a committee to consider and report upon the expediency of altering the northern wall of the Granary burying place, according to a plan submitted by the Superintendent of burial grounds.

Constables

Memorial of the Constables to be allowed a sum of money so as to make their compensation two dollars per day, for their services on the Common, the two election days and Independent day. Read and the prayer thereof granted; and that sixty dollars be paid to them, for the pay of twenty Constables, which together with the like sum received by them of the proprietors of tents will make their pay amount to the sum required.

Hab. Corp.

Notice of Samuel D. Parker, Esq. stating, that the Chief Justice of the Supreme Judicial Court has issued a writ of Habeas Corpus to the master of the House of reformation of juvenile offenders to have before him the bodies of Frederick Vogell and George Vogell: Read and referred to the City Solicitor to attend to the same.

Lamps Washington St.

Ordered, that the lamps which have been erected by the Superintendent of burial grounds, on the wall and gate of the burial ground on Washington street, be lighted at the expense of the City.

Trott Winter St.

Petition of George Trott, & others, to have Winter street Macadamized; Read and committed to Aldermen Loring & Upham, with authority to cause it to be done, if they see fit.

Adjourned to Thursday next, 4 o'Clock P. M.

At a meeting of the board of Aldermen of the City of Boston, on Thursday the fourteenth day of August, Anno Domini, 1828.

Present The Mayor, Aldermen Loring, Kendall and Upham.

No quorum

There not being a quorum of the members of the board present, the meeting was adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday the eighteenth day of August, Anno Domini, 1828.

Present.

The Mayor, and the whole board of Aldermen except Aldermen Pickering and Upham.

Memorial of Rufus Davenport, praying for some alteration in the place of confinement of poor debtors. Read & committed to the committee on the gaols &c. to consider & report. Davenport Poor debtors

On the petition of Samuel Mayo, praying that the common sewer in High Street may be taken up and sunk lower. Read & referred to the Mayor with authority to grant it if on enquiry he shall deem it expedient. May High St.

Petition of William Pitts, for himself, & as guardian to his minor children, with the order of the Court of Common Pleas thereon, returnable at the next October term at Boston, for compensation for land taken for the purpose of laying out Chatham Street, in March, 1825. Read & referred to the City Solicitor, to attend to the same before said Court. Pitts Chatham St.

The committee on the petition of Alfred Welles, & others, to have steps removed from a house in Beacon street, belonging to the heirs of William Phillips, Esquire deceased, reported, that it is inexpedient to remove them. Read and accepted. Welles. Beacon St.

Parsons South St.

Petition of William Parsons, and others, praying, that South street may be macadamized. Read and committed to Aldermen Savage & Hall to consider and report.

Donnison Winter St.

Memorial of William Donnison, Esq. protesting against Macadamizing Winter street. Read and committed to Aldermen Loring and Upham, to consider and report.

Adjourned to Monday next, four o'clock, P.M.

At a meeting of the Board of Aldermen of the City of Boston, on monday, the twenty fifth day of August, Anno Domini, 1825.

Present.

The Mayor, and the whole Board of Aldermen except Alderman Upham.

May Atkinson St.

Petition of Samuel May, and others, praying, that the common sewers in Atkinson street may be taken up, cleansed, and if necessary enlarged; and the expense thereof assessed upon those whose estates shall be benefitted thereby. Read and thereupon ordered, that all persons interested be notified to appear before this board on monday next four o'clock, P.M. then came if any they have why the prayer thereof should not be granted.

Petition of C. P. Francis, min- Francis.
ister of the Shiverians, or anti Satanists, for a lease of the centre hall of the New Market house, for the purpose of public worship. Read and thereupon resolved, That it is inexpedient to grant the same.

Memorial of Leonard Foster, re- Foster
newing his claim heretofore made by him, against the City, for his share and interest in the real estate known by the name of Nathan Mears's wharf and flats, lying eastward of Faneuil Hall, his claim being three undivided twenty eighths parts of the whole. Read & referred to the City Solicitor.

Petition of Francis M. Williams, stat- Williams
ing, that William Williams of Boston, distiller, does by excessive drinking and idleness so waste his estate as thereby to expose himself to want & suffering circumstances, & is in danger of exposing the City to a charge and expence for his maintenance and support. Wherefore he prays that the Mayor & Aldermen make complaint to the Judge of Probate, that a guardian may be appointed to said William according to law. And now after the examination of divers credible witnesses, the allegations stated in said petition are found to be true. Thereupon the Mayor and Aldermen made out & issued a complaint as prayed for in said petition.—

David Stanwood nominated and Auctioneer
appointed an auctioneer W^m H. Foster's wharf, for one year from the first day of July, last.

268.

Rogers & Shatton Mummies.

Application of Mess^rs Rogers & Shatton for a license to exhibit two mummies at Concert Hall, for one or two weeks. Read & the prayer thereof granted they paying therefor one dollar per week.

Engine No. 11.

The Mayor reports, that the committee have discharged the engine company No. 11, conformably to their request, and have settled their bill for repairs, and the erecting their house, as authorized.

Read and accepted.

Adjourned to Monday next, four o'Clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday, the first day of September, Anno Domini, 1828.

Present.

The Mayor, and the whole board of Aldermen except Alderman Savage.

May Atkinson St.

It appearing to this board, that notice has been given, agreeably to the order passed at the last meeting, on the petition of Samuel May, Esq^r, praying that the common sewer in Atkinson street may be taken up and relaid, & the expense thereof abated upon those whose estates shall be benefitted thereby. And now no person

appearing

appearing to object, it is thereupon ordered, that the same be referred to the Mayor, with authority to cause the same to be done, if deemed expedient by him.

Ordered, that the committee of the district be instructed to cause the street bounded south on the Post office and Merchants Hall, extending from Congress street to Kilby street, to be paved, so far as the same may be necessary, and cause all obstructions to be removed from the same, as soon as practicable. Street near Post Office

Ordered, that Aldermen Loring and Tyndall be a committee to cause the usual number of cartridges to be supplied, which the City are bound to furnish the militia for the autumnal review, and that the application of Henry Sheafe offering to insure the same be referred to the same committee. Cartridges

Petition of William Barry, pray- ing, that the store in the Old Hall House may be furnished with new window frames and shutters, and otherwise made tenantable. Read & committed to the Committee on Public Buildings, to consider and report. Barry

Sent down for concurrence
Came up concurred.

Ordered, that Ald. Hall Wyman be a com- to settle the accounts of Wm Minot, Esq. Treasurer of the Franklin fund. Franklin fund

270.

Petition of S. D. Ward & 20 others, praying that High street may be regularly numbered. Read & the prayer thereof granted; & that the Mayor cause said street to be numbered, according to the rules established in relation to the numbering streets.

High St.

Petition of George A. Bonner, for compensation for land which he claims and which he alleges has been taken into Charles street, near Lynn street. Read & committed to Aldermen Donnelly & Armstrong, to consider and report.

Bonner

Petition of Solomon Fisher, praying, liberty to sink a well in Sea street, & to carry the water by suction to his premises on said street, under such rules and regulations as may be deemed just & equitable. Read and committed to Aldermen Hall & Upham, to consider & report.

Fisher

Sea street.

Thomas B. Park, nominated & appointed an Auctioneer Nos 30 & 32 Kilby street, for one year, from the first day of July last.

Auctioneer

Ezra Trull's demand against the City for retaining reservoir which was injured by the engines at the fire in Canal & Merrimac streets. Read & committed to Aldermen Kendall & Pickering, to consider & report.

Trull

Adjourned to Monday next, four o'clock, P. M.

AT a meeting of the board of Aldermen of the City of Boston, on Monday the eighth day of September, Anno Domini, 1828.

Present:

The Mayor; Aldermen Loring, Kennelly, Kendall, Hall and Pickering.

Davenport Poor debtors

The committee to whom was referred the petition of Rufus Davenport, relative to the subject of the laws respecting poor debtors, submit the following Report; That the subject of the said petition; important as it may be considered, seems to be placed beyond the control of this board, in their capacity of a board of Aldermen, which has itself fixed the gaol limits of this County, by a general law, has not left that power to the appropriate County Court. That it appears by the petitioners statement that he has five different petitions, embracing the whole of this extensive subject, now pending in the Legislature; & to be taken into consideration at the next winter session; in the discussion of which all the laws relative to this subject must necessarily be reviewed. & such improvements must be made as the public necessities shall demand. Your committee therefore; ready as they think this board should ever be, to co operate in any substantial improvement in this part of our laws, are of opinion, that it is not expedient under existing circumstances to consider whether any and what partial alterations might be made in

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272. the details of the system when such partial alterations may themselves require new changes upon the expected revision of the subject at large, by the Legislature. All which is respectfully submitted, by order of the committee.

Robert Tennelly, Chairman.

Read and accepted.

City guards. Petition of the City guards for an enlargement of their armoury. Read and committed to Aldermen Loring, Kendall & Upham, to consider & report.

Wentworth & Pond st. Petition of William Wentworth, praying liberty to sink deeper an old well in Pond street, and take water from the same, for the use of his stable. Read and committed to the Mayor, Aldermen Tennelly and Armstrong, to consider and report.

Dearborn & Charles st. Petition of Benjamin Dearborn, & others, stating, that on a vacant lot of land on the east side of Charles street, a short distance south of the Baptist meeting house, there is a large quantity of water collected which penetrates through the earth into a well of water, & spoils it. They pray, that said waste water may be drained into the common sewer & the lot of land filled up.

Read and thereupon ordered, that the petitioners be permitted to enter the common sewer in Charles street, upon the terms agreed upon with Cornelius Coolidge.

Application of Henry Overton, to be licensed to exhibit the Panorama of the City of Mexico, until the first day of December next. Read and the prayer thereof granted, on paying therefor three dollars per week. Overton. Mexico.

A communication was received from Doctor Smith, Resident Physician at Rainsford Island, in relation to the quarantine of vessels. Read and thereupon Ordered, that for the present year the general quarantine on all vessels which are now liable to perform quarantine, be continued until the first day of October next. Quarantine extended.

Sent down for concurrence.

Came up concurred.

The committee on the application of Samuel F. Morse to have a committee appointed to view the land on which he is about building on Park Lane and Esex Street, report, that they have examined the premises and find that the street opposite is of sufficient width; but in case the street should hereafter be widened eastward of this building, it can be done without making it necessary to cause this building to be set back from its present front line. Read and accepted. Morse Park Lane & Esex st.

The City Solicitor made a report on the application of Leonard Vosler, claiming the profession of Vosler

2/11. of three undivided twenty eighth parts of the estate known by the name of Nathan Thear's wharf and flats, lying eastward of Faneuil Hall Market, that a reply be made by the Mayor to said Foster, stating, that the City has no knowledge of any right or title, that he has to any portion of flats or estate eastward of Faneuil Hall market, and that his claim either to the income or possession of any flats or estate described as aforesaid is inadmissible.

Read and accepted and ordered accordingly.

Foster vs. City. A writ in favour of Leonard Foster against the City to recover the possession of a certain piece of land near the New Market House, said writ a summons is returnable to the Court of Common Pleas, on the first Tuesday of October next. Read and referred to the City Solicitor to attend to the same before said Court.

Gay vs City A claim of Seth Gay, of Roxbury, for the amount of a fine and costs being twenty four dollars, and ninety nine cents, for a breach of the by laws to regulate trucks &c. the proceedings of the Municipal Court being quashed by a decree of the Supreme Judicial Court on a writ of Certiorari. Read and referred to the City Solicitor to consider and report.

Tobey & Spendthrift. It having been represented to this board, that William Tobey, of Boston, mariner, does by excessive drinking

drinking, and idleness, so spend and waste his estate, as 275.
thereby to subject himself and family to want and suffering
circumstances. And Witness being duly sworn, testified, that
the allegations against said Tobey, as above stated, are
true. It is thereupon ordered, that a complaint be signed
by the Mayor and Aldermen to the Judge of Probate of the
County of Suffolk, that a guardian may be appointed to the
said Tobey, according to law.

Petition of Benjamin Vanners, stating, that on the fourth day of August last, his son John Vanners, went in the bath No. 14, on Cambridge bridge; and was drowned; in consequence of said bath being out of repair, Wherefore he prays, that said bath and all others connected with and establishment, be put in repair, so that in future others may not share the fate of the deceased. Vanners. Vanners Baths.

Read and thereupon ordered, that the Mayor, Aldermen Gill and Pickering, with such as the Common Council may join, be a committee to consider and report upon the subject of regulating public baths. Sent down for concurrence. Came up concurred, and the Common Council joined, on its part Messrs. Parker, Wells, Howes, Adams, Means, and Fox.

Ordered, that the committee of the district have authority to make a small alteration in the line of Hanover street, & that part of Union street, where the Baptist Church is now building, agreeably to the plan of S. P. Fuller. Hanover Union streets.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the board of Aldermen of the City of Boston, on Tuesday, the ninth day of September, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Tennelly, Vale & Armstrong.

Fever

The Mayor stated that he had caused this meeting to be called, and that the consulting Physicians had been requested to attend the board, in consequence of an alarm in some parts of the City relative to the existance of a malignant fever.

Consulting Phys. opinion

The following consulting Physicians attended viz. Doctors John C. Warren, Benjamin Shurtleff, John Gorham and George Hayward.

After consultation and hearing all the statements of facts, known to the board, and the health officers, the Physicians were of opinion, that no circumstances existed which rendered it expedient for this board to take any measures relative to the subject.

Adjourned to Monday next, four o'Clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday, the fifteenth day of September, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Kendall, Hall, Upham and Armstrong.

Communication from the Mercantile Wharf Corporation, stating that they have nearly completed Marginal street, and requesting the board to view the same, and determine the level. Read and committed to the Mayor, Aldermen Kennelly, Kendall, Upham & Armstrong, to consider and report. Mer. Wh. Corp. Marginal St.

Petition of Benjamin Rich and others, praying that a new Marginal street may be laid out, to run South from Foster's wharf. Read and thereupon Ordered, that public notice be given to all persons interested in the premises, that this board will take the subject into consideration, on Monday next, five o'Clock, P. M. & consider the necessity or expediency of laying out said street as prayed for in their said petition. Rich New street.

Ordered, that Aldermen Loring, Hall, Upham & Armstrong, be a committee to consider and report upon the best mode of occupying or improving the Market Wharf lying eastward of Faneuil Hall Market. Market Wharf

Sur. boards &c.

The board proceeded to the election of a Surveyor of boards and other lumber, and the votes being taken, it appeared that William Fiske, was chosen.

Sent down for concurrence.

Came up concurred.

Shaw Bridge street.

Petition of Robert G. Shaw and others, praying, that Bridge street, leading or extending from the northern side of Cambridge street, to Vine street, may be accepted by the City, as a public street and highway. Read and committed to Aldermen Loring and Upham to consider and report.

Buffum Egyptian antiquities.

Application of Jonathan Buffum, for a license to exhibit at No 67 Market street, a number of Egyptian antiquities, consisting of one human mummy, four cat mummies, a variety of household deities, ancient coins Egyptian hieroglyphicks &c. &c. Read and the prayer thereof granted, until the further order of this board, on paying therefor two dollars, per week.

First Bapt. Ch. Hanover & Union streets.

The committee to whom was referred the application of the First Baptist Church, made by their agent, John Sullivan, respecting the elevation of Hanover and Union streets, near the corner of said streets, submit the following report, That the edge stone of the corner of Hanover and Union streets, on the northwesterly side

side of Hanover and southwesterly side of Union street, to be placed nine inches above the top of the hammered foundation stone of the building at the corner of said streets on the southeasterly side of Hanover and northeasterly side of Union street, and to rise on Hanover street in the direction to the present level of the edge stones at the corner of Hanover & Portland streets, and on Union street, and to be placed level from said point sixty feet, and from thence to fall in the direction to the present surface of the bridge over the Canal.

The committee further report, that the line of Hanover street be so far altered as to allow the proprietors of the First Baptist Church to place their house four inches further southeasterly at the easterly corner thereof, and eight inches further northwesterly at the southerly corner thereof, and the line of Green Dragon lane be altered so as to run at right angles with said line of Hanover street as hereby altered.

By order of the Committee. Wm. Kendall.

Read and accepted, and ordered accordingly.

The undersigned, to whom the certificate of the Clerk of the Supreme Court, presented to the Board by Seth Gay, was referred, has the honour to report, that he has examined the said certificate, finds it to relate to certain proceedings against said Gay in the criminal Courts, which have been quashed by the Supreme Court, for an informality in the original complaint, on which they are founded. As Mr. Gay has presented no memorial or petition to the Board

Gay, City Sol. opinion

Gay's claim

Board. The undersigned is at a loss to know what his views are, or what the subject matter is, which the board have referred to the undersigned for advisement; but presuming that Mr. Gay's object is to obtain a reimbursement of the fine & costs, awarded against him; the undersigned has inquired into the circumstances of the case with a view to ascertain whether said Gay, as he has no legal right, has any equitable & meritorious claim to reimbursement. The complaint against Mr. Gay was for a violation of the ordinance regulating the weight of loads to be carried on trucks & carts through the streets of the City; an ordinance of great importance in a pecuniary view to the City. The facts are fully proved, and the verdict of the jury in the Municipal Court, corresponded with the judgment of the Police Court from which Mr. Gay appealed; & the opinions of the Judges of both Courts concurred, as to the legal questions presented to them. The principal law question was, whether Mr. Gay, who was an Inhabitant of Roxbury was amenable to the by-laws & ordinances of the City of Boston; it was decided by the Justices of the Police Court that he was; the Municipal Court confirmed this decision, and the Supreme Court have since settled the point, conclusively in the same manner in Vandine's case; all the other questions of law that were raised by Mr. Gay, were decided against him in the Supreme Court, but on a more question of form, which Mr. Gay did not suggest, but which was discovered by the Judges, the whole prosecution was set aside; & the judgment

of

of the Municipal Court was quashed. It appears therefore that the offence complained of was committed by Wm Gay, & that he was declared to be justly amenable to the laws of the City, but from a trifling error in the initiatory proceedings, he has avoided the judgment of law.

The undersigned is therefore clearly of opinion that Wm Gay has no claim in equity to be reimbursed the amount paid by him, because in addition to the reasons already given, the defect in the complaint was as obvious at the beginning as at the termination of this suit. Ought to have been pointed out, and objected by Wm Gay in the Police Court, or at least in the Municipal Court, in which case it might not, that all the expense or a large part of it might have been saved. The mode by which fines paid to the Commonwealth, under judgments which are afterwards reversed, are recovered back is by petition to the General Court, who in the exercise of a sound discretion grant or refuse the request, according to the nature & circumstances of the case; The undersigned is not aware of any mode by which such a claim could be enforced in law; The present case is therefore to be considered as an application to the discretion & justice of the Mayor & Aldermen; who are probably considered by the applicant to be the proper tribunal to judge of & decide on his request; - but the fine though recovered in the name of the Commonwealth is appropriated by law to the use of the City, & cannot be legally withdrawn from the City Treasury, without an order from the City Council.

Wm Gay's Claim.

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282. The undersigned therefore respectfully recommends, that Mr. Gay have leave to withdraw his application, which he can renew, if he see fit, by petition to the General Court or to the City Council. The undersigned will only add the expression of his opinion, that the fine only, ought in any event to be repaid to Mr. Gay, the costs having accrued in consequence of his neglect to avail himself at an early period of the defect in form, on which the judgment was set aside. Respectfully submitted. H. H. P. Lincoln, City Sol.

Read and accepted, and ordered, that said Gay have leave to withdraw his petition & application.

Piper
Sea Street.

The committee on the petition of Solomon Piper, praying leave to dig a well in Sea Street, reported, that it is inexpedient to grant the prayer of the petition.

Read and accepted.

Foster

The Mayor reports, that he wrote to Leonard Foster, on the ninth instant, in the terms specified in the opinion of the City Solicitor concerning his claim against the City, & flats to the east of Faneuil Hall Market.

Read and accepted.

Adjourned to Monday next, four o'clock, P.M.

At a special meeting of the Board of Aldermen, on Tuesday the sixteenth day of September, Anno Domini 1828.

Present.

The Mayor, Aldermen Loring, Kendall, Hall, Upham and Armstrong.

Order of the Common Council, ap- propriating a further sum of five hundred dollars for the erection of hay scales near Charles street, and that the said amount be withdrawn from the Reserved fund. Came up for concurrence. Read and concurred. Hay Scales approp.ⁿ

Ordered, that the committee on the hay scales be authorized to deliver to the Directors of the House of Industry, such part of the old hay scales, and materials of the old house on Charles street as may be required, and that said committee cause the fence to be continued round to the burying place. Hay Scales & fence in Comm.ⁿ

Order of the Common Council ap- pointing Mess.ʳˢ Walker, Wm. Ives, Fran.ˢ Tigelow, with such as the Board of Aldermen might join, a committee to inquire, if any, & what alterations, amendments or provisions are necessary in the bye laws of the City, or the rules & regulations of the several Markets, & market houses, & the sales of provisions in the City, to repeal by ordinance or otherwise. Came up for concurrence. Read & concurred & Aldermen Loring, Hall & Upham are joined. Markets & Market houses.

281. Petition of John P. Boyd,

Boyd stating, that during the last year, he was assessed by the assessors about fourteen times as much for taxes, as he had been assessed the previous year, for a series of years before that time, without any reason whatever, or reason to expect on his part any such increase, that in opposition to the opinion as he believes of both the assistant assessors of the ward in which he resided. Wherefore he prays, that a committee be appointed to hear his allegations & proofs, for such relief in his case as he may be deemed intitled to. Read and committed in Common Council to Messrs. James, Belknap, & E. Williams, with such as the board of Aldermen might join, to consider and report. Came up for concurrence: Read & concurred, and Aldermen Savage & Tendale are joined.

Turnpike sheet. Ordered, that the Mayor & Aldermen be and they are hereby requested to cause that part of Turnpike sheet, in South Boston, between First sheet and Broadway, to be filled up to its proper height in a substantial and solid manner, with all convenient speed; and that for this purpose the sum of fifteen hundred dollars, be appropriated to be withdrawn from the Reserved fund. Read and committed in Common Council to Messrs. Paine, Parker (Wm S.) and Eveleth, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and Concurred; and Aldermen Upham and Armstrong are joined.

The committee on the subject of widening the Green Dragon lane, and who were directed to consider and report on what terms a settlement may be effected with the Boston Mill Corporation, as to the rights of that Corporation in the Mill Creek; also all other existing claims of said Corporation respectfully report, That with respect to the rights and claims of the Mill Corporation above mentioned, a letter dated the 4th of April 1828, signed by John Welles President of said Corporation, exhibits the basis of the arrangement on which that Corporation are willing to relinquish their rights to the Mill Creek to the eastward of Merrimac street, and which is understood to be as follows viz: That on the City government adopting such measures as shall open the Green Dragon lane, forty feet wide, that they will release all right to the said portion of the Mill Creek, and that on the appointment of a committee with full powers to stipulate for such opening, and for a settlement of all controversies subsisting between the City, and that Corporation, they were ready on their part to appoint a committee with similar powers, and also with powers to release all the right of said Corporation to the said portion of the Mill Creek. With respect to the opening of the Green Dragon Lane to the width of forty feet, as proposed, your committee find that the number of feet to be cut off from the Green Dragon proprietors land is, nineteen hundred and ninety seven feet, and that those proprietors as appears by the letter of Benjamin Smith deceased two dollars & twenty five cents per foot, amounting to the sum of four thousand

Green Dragon Lane

four

four hundred and ninety three dollars. Your committee also find, that Mr. Hills, the attorney and representative of the remaining estate owned by the heirs of Mr. Jenkins, from which four thousand three hundred and sixty one feet will be cut off, demands two dollars the foot for their land; so proposed to be cut off, amounts to the sum of eight thousand seven hundred and twenty two dollars; constituting a gross demand of thirteen thousand two hundred and fifteen dollars, for the quantity proposed to be taken from both estates.

Green Dragon Lane

The greatness of these demands being in the opinion of this committee three times as much as ought to fall on the Treasury of the City, dispirates all hope of obtaining the requisite land by amicable adjustment, your committee therefore unanimously recommend, that the surveyors of highways be requested to open the said street on the plan heretofore adopted, and referred to, in the deed of the Deacons of the First Baptist Church; by taking, pursuant to law, for the public convenience the due proportion of said land to widen the street aforesaid, and that the remuneration which the proprietors may obtain by award of arbitrators, or suit at law, be charged to the appropriation for widening streets. And for the carrying into effect the principles of the preceding report, your committee recommend the adoption of the following resolves, which are respectfully submitted.

By order of the committee. Josiah Quincy, Chairm.

Resolved, that Messrs. Russell, Waters, Fox, Otis, and Turner, with such as the board of Aldermen may join

Green Dragon

join, be a committee, with full powers to stipulate with the Boston Mill Corporation, for the opening of Green Dragon Lane to the width of forty feet, conformably to a plan hereto to be made by Stephen P. Fuller, and specified in the agreement made between the City and the proprietors of the First Baptist Church on a full claim being made, by the said Corporation to all their rights in, or in the Mill Creek east ward of Merrimac Street, and also with full powers to settle by reference or otherwise, all other existing demands between the said City and said Corporation; and upon the application in writing by said committee, that the Surveyors of highways be and they hereby are requested to cause the said Green Dragon Lane to be widened; in conformity with the plan above specified, forthwith all remuneration for damages by such widening to be charged to the appropriation for widening streets. Read and accepted, in Common Council, and the resolve passed. Came up for concurrence.

Read and concurred, and the Mayor, Aldermen Kendall, Upham and Armstrong are joined.

( ) Adjourned to Monday next, four o'clock, P. M.

( )

At a meeting of the Board of Aldermen of the City of Boston, on monday the twenty second day of September, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Kendall, Hill, Pickering, Alpham and Armstrong.

Lane, Gooch St. Petition of Samuel Lane, praying, that the line of Gooch street, and the width and elevation of the side walks may be determined, near the place where he is about erecting a three story brick dwelling house. Read and committed to Aldermen Kendall and Pickering, to consider and report.

Bigelow, Bromfield St. Petition of Alpheus Bigelow, Junior, for compensation for land taken to widen Bromfield street. Read and committed to Aldermen Loring and Alpham, to consider and report.

Jackson, South Allen St. Petition of Ward Jackson, and others, praying, that South Allen street may be viewed, and the owners of a block of buildings now about being erected on the lower end of said street, may be required to set back their building on a line with the other buildings on said street. Read and committed to Aldermen Loring and Alpham, to consider and report.

Communication from the Chief Engineer of the fire department, inclosing a petition from Engine company No. 12, praying, that an engine house may be built, sufficient to accommodate said company. Read and committed to the Mayor, Aldermen Hall & Upham to consider and report. Engine No. 12.

Application of Leonard Rogers, for a license to exhibit the "Large Ox and small Cow" at a building on Flag alley, for a few weeks. Read and the prayer thereof granted, on paying therefor, one dollars per week. Rogers Ox & Cow.

Application of David K. Griggs, for a lease of the flats at the end of North Market street to the width of two hundred feet on Marginal st. running towards the T wharf, three hundred feet. Read and committed to the committee on the subject of leasing the Market Wharf, to consider and report. Griggs

Ordered, That the City Marshal notify Mess.rs Kittridge & Wyman to reduce their side walk in Haverhill street, to the established level of said street, within the space of ten days. Kittridge & Wyman Haverhill St.

James N. Paine, nominated & appointed a fireman, for Ward No. 10, in place of Jonathan T. Kendall, deceased. Fireman Ward No. 10

Preble's Portrait

The Mayor read a letter from Capt. K. P. Wormley requesting the City to accept a very fine portrait of the late Commodore Edward Preble, to be placed in Faneuil Hall. Thereupon ordered, That the Mayor communicate to Capt. Wormley, the thanks of this board for his very acceptable donation, the portrait of that distinguished officer of the Navy, Commodore Preble, with the assurance that it shall be placed in Faneuil Hall, according to his request.

Paintings in Faneuil Hall

Ordered, That the Mayor, Aldermen Loring and Hall, be a committee to consider and report the best mode of placing the several paintings in Faneuil Hall, which now or may hereafter belong to the City.

Rich

New Street

It appearing to this board, that notice has been given, on the petition of Benjamin Rich & others, praying that a new street be laid out from Foster's Wharf to Sea street. And now no person appearing to object, it is thereupon ordered, that the Mayor, Aldermen Kendall and Pickering, be a committee to engage S. P. Fuller, the Surveyor, to draw a plan of the estates and the best mode of laying out a street as prayed for, not less than fifty feet wide, and report the same to this board.

Green Dragon Lane

Ordered, That the proprietors of the Green Dragon estate and the Jenkins estate be notified, that the board

board as Surveyors of the highways will meet, on Friday, next, nine o'clock, A. M. to view said estates and take into consideration the necessity or expediency of widening Union Street by taking a part of their estates for that purpose.

The committee to whom was referred, the examination of the accounts of William Minot Treasurer of the Franklin fund, have attended to that duty and find the same correct and well vouched; and that the balance remaining in the hands of the Treasurer is one thousand and forty two dollars, and four cents, and your committee recommend the adoption of the following orders, viz:- Franklin fund. Treas' acc't

Ordered, that the Treasurer of the Franklin fund invest the sum of One thousand and forty two dollars, in the Office of the Massachusetts Hospital life insurance Company for five years, to accumulate.

Ordered, that the treasurer give notice to all borrowers of the fund; whose instalments are due and unpaid, that suits will be instituted on all bonds, which shall be unpaid, in thirty days.

The committee have received from the Treasurer a statement of the present amount of said fund, by which it appears, that on the 20th current, it amounted to sixteen thousand, eight hundred, thirty nine dollars, forty three cents, beside forty eight dollars and seventy six cents, due on a bond of doubtful value: that there is invested in bonds with the interest dues thereon four thousand five hundred &

three

1812. three dollars and fourteen cents, and in the Massachusetts Life annuity office ten thousand six hundred dollars, which together with the interest amounted on the twentieth day of September, to eleven thousand four hundred & ninety four dollars and twenty five cents, leaving a balance in the hands of the Treasurer on the fourteenth day of September, of one thousand & forty two dollars and four cents. All which is respectfully submitted. James Hall, per order.

Read & accepted, and ordered accordingly.

Voters lists. Ordered, that the Mayor, Aldermen Savage and Pickering, be a committee for the purpose of causing the lists of voters, to be made out, with authority to grant such assistance to the assessors as may be found necessary.

Assessors to make lists. Ordered, that the assessors be requested to make out the lists of voters, by the first day of October next, conformably to the last valuation.

Hackney coaches near Theatres. Ordered, that the Mayor, Aldermen Pickering and Armstrong, with such as the Common Council may join, be a committee to consider and report what alteration is necessary to be made in the ordinance to regulate the standing of Hackney carriages and other vehicles in the streets near the several Theatres.

Signs. Also, that the same committee consider and report, what alteration is necessary in the ordinance in relation

relation to the projection of signs into the streets, and that said committee have liberty to report by ordinance or otherwise. Sent down for concurrence. Came up concurred, and the Common Council joined on its part Messrs. Oliver, S. Ro. Williams, Bigelow and Seaver.

Communication from the Chief Engineer, enclosing a petition of Charles Simpson, Junr. for remuneration for loss of time and expense he has been put to in consequence of an injury he received at a fire on the 27th. of March last, in Washington street, while in discharge of his duty as a fireman. Read & with the papers accompanying committed to the committee who have under consideration the petition of Samuel L. Knowles, to consider & report. Sent down for concurrence. Came up concurred. Simpson

Whereas, the members of this board have received information of the decease of their respected associate Robert Fennelly, Esquire. Thereupon resolved, that this board deeply sympathize with his bereaved family and friends, and that the Mayor, Aldermen Kendall & Armstrong, be a committee to ascertain at what time the funeral will take place, & give notice thereof to the City Council, in order, that they attend his funeral and paying such other marks of respect, as are justly due to his talents, virtues & public services. Ald. Fennelly deceased.

Adjourned to three o'clock tomorrow afternoon.

At a meeting of the board of Aldermen of the City of Boston, on Tuesday the twenty third day of September, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Hall, Pickering, Upham & Armstrong.

Flats near Faneuil Hall Market.

Order of the Common Council, instructing the committee on the disposable property of the City, to report on the expediency of selling by auction, or otherwise, the right of the City to extend a wharf over the flats eastward of Faneuil Hall Market. Came up for concurrence.

Read and concurred.

Appropriation

Order of the Common Council, directing for the purpose of carrying into effect, the provisions of the agreement existing between the City and the Mercantile Wharf Corporation, there be added to the appropriation, for common sewers, wells and pumps, the sum of three thousand dollars, the said amount to be withdrawn from the reserved fund. Came up for concurrence.

Read & concurred.

Smith Bloxom Street.

The Mayor reports, on the petition of Isaac L. Smith, and others, that the petitioners have leave, to extend the main drain through the centre of Bloxom St. under the superintendence of the Superintendent of streets,

employing

employing Mr. Mason to lay it. The common sewer to belong to the City and the Petitioners to pay for entering into the portion already laid as shall be deemed reasonable under all circumstances. Read & accepted. 295.

On the petition of Charles French and others praying that a drain or common sewer be laid in Essex street between Washington street and the Essex street Church & also in Front street between Essex and Beach streets. Ordered that public notice be given to all persons interested to appear before this board on monday next, four o'clock P. M. and shew cause if any they have why the prayer of said petition should not be granted. French Essex & Front streets.

Mayor's message. Mayor's message Mill Creek.

Gentlemen of the City Council.

Under the authority of the committee appointed on the subject of widening Green Dragon Lane, an arrangement has been made with the Boston Mill Corporation & a quit claim has been executed and delivered to the City of Boston, of all the right, title and interest of the said Corporation to that part of the Mill Creek, which lies south easterly of the north side of the bridge built over the Canal, at the junction of Charlestown and Merrimac streets. The rights thus acquired puts it into the power of the City Council to decide ultimately upon the expediency of filling up the Creek between Anne and Marginal streets, and as the Mercantile wharf

Corporation

206. Corporation are anxious for a completion of the City obligations on the subject of building bridges over the Mill Creek, or filling that Creek up, & recommend the same to your early attention. Josiah Quincy.

Read and committed in Common Council, to Messrs Russell, Waters, Fox, Otis and Turner with such as the board of Aldermen might join to consider and report. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Kendall, Aitkam and Armstrong are joined.

Temple Street widened

The board viewed Temple street & it was thereupon resolved, that the safety & convenience of the Inhabitants of the City require, that said street should be widened & the same is laid out & widened in manner following, viz: Beginning at the northerly corner of a brick house belonging to Calvin Page, & running southerly in a straight line drawn to the front of the brick houses at the corner of Temple & Derne streets, & measuring on said line from the corner of said Pages house, twenty six feet, two inches to land of Thence westerly by said land, two feet eleven inches to the present line of said Temple street, Then northerly by said front line of the street, twenty six feet two inches, Then eastorly two feet, eleven inches to the place of beginning, taking from the estate belonging to John Baxter, seventy six & one quarter square superficial feet of land.

Alex. Tennelly's funeral.

The board, together with the Common Council attended the funeral of Alderman Tennelly, and then adjourned to nine o'clock tomorrow morning.

At a meeting of the board of Al 295.
dermen of the City of Boston; on friday, the twenty sixth
day of September, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Savage, Kendall, Hall,
Pickering, Upham & Armstrong.

The board proceeded to view that hard Green Dragon
of Union street called Green Dragon papage; & appearing that Capt. papage widened &
Benjamin Smith Chairman of the Green Dragon estate's agents, & George named Union street.
Tufts, as owner or agent of the Jenkins estate having been duly no
tified to appear at this time and object to the widening said street,
by taking a part of their estates for that purpose: The above named
persons accordingly appeared; & no objection being made; the board
are of opinion; that the safety & convenience of the Inhabitants of
the City require; that said street be widened; & the same is laid
out & widened in manner following viz: Beginning at the east
erly corner of the Church now building at the corner of Hanover
& Union streets; thence running north westerly by the north
easterly wall of said Church to the northerly corner thereof;
thence a little more northerly through land now owned by the
Proprietors of the Green Dragon tavern, so called, & Jenkins' heirs
to a point forty feet distant from the westerly corner of Tufts'
brick Distil house; measuring at right angles, & continuing in
the same direction, until it intersects Merrimac street. And all
the land lying between the said line and the ancient Green
Dragon line; ~~as widened~~ according to a plan, taken by J. F. Fuller,

dated

dated this day. Ordered, that the said Green Dragon lane so widened, shall be taken and deemed a continuation of, and bear the name of Union street.

Union street.

Ordered, that Aldermen Savage & Armstrong, be a committee to confer with the owners taken to widen Green Dragon lane, as to the value of land taken, & the time when the buildings shall be removed from the street, and report to this board.

African School

The Mayor reports, that the use of the African school house, be granted to the singing choir of the Rev^d Mr. Paul's Church, two evenings in the week.

Read and accepted.

Marginal street.

The committee report, that the level of Marginal street, has been given according to the direction of this board.

Read and accepted.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the Board of Aldermen of the City of Boston, on Monday, the twenty ninth day of September, Anno Domini, 1878.

Present.

The Mayor, Aldermen Loring, Savage, Kendall, Hall, Pickering and Armstrong.

Petition of Silas Atkins, claiming a strip of land in Prince and Lynn streets, and also praying compensation for the use of the same by the Public. Read & committed to the Mayor & Aldermen Armstrong, to consider and report. — Atkins, Lynn & Prince sts.

Petition of Benjamin Wheeler, praying Compensation for land and building belonging to him which was taken to widen Washington street. Read and committed to Aldermen Kendall & Pickering, to consider and report. — B. Wheeler, Washington st.

It appearing to this board, that no notice has been given, on the petition of Charles Branch, & others, for a common sewer in Lynn and Wood streets. And now Hannah Hastings, and others appear and object to the same. And after a full hearing, the board are of opinion that it is inexpedient to grant the prayer of said petition at present. — Branch, Lynn & Wood sts.

Andrew J. Allen, licensed as an Auctioneer, State street, for one year from the first day of July last, he giving bonds as the law directs. — Auctioneer

300.

Trull

The committee on the petition of Ezra Trull, for compensation for damage done to his cistern near his distil house on Merrimac street, during a fire by the firemen, reported, that there be allowed him twenty five dollars in full of the same. Read and accepted.

Lane
Gooch street.

The committee on the petition of Samuel Lane, praying, that the elevation of Gooch street may be determined, reported, that they have directed the petitioner to conform his building to the elevation as fixed by the Surveyors of highways the last year. Read and accepted.

Miles
Eng. High Sch.

Petition of Solomon P. Miles, Master of the English high school, praying, that the pump in the yard of said school house may be so altered as that the scholars shall not be annoyed by reason of the public taking water from the same; forcing the gates & scaling the walls for that purpose. Read and committed to Aldermen Loring and Upham, to consider and report.

Constable

George Jones nominated & appointed a Constable for the year ensuing.

Intelligence Office

Thompson Baxter licensed to keep an Intelligence office at No. 190, Washington street.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday the sixth day of October, Anno Domini, 1828.

Present.

The Mayor - Aldermen Loring, Savage, Kendall, Hall, Pickering, Upham and Armstrong.

Granary burying ground. Hotel.

Whereas it has been represented to this board by the proprietors of the Hotel now erecting on Common street, that the northerly wall of the Granary burying ground is out of repair, and that an alteration in the location of the same to the southerly end of the tombs on the north side of said burying ground would be inclosed to said Hotel, and whereas it is the opinion of this board, that such an alteration would be ornamental to said burying ground, & injurious to no one interested in the same.

Resolved, that said proprietors be, and they are hereby authorized to cause the present northerly wall of the granary burying ground to be removed, and a new one built on the south end of the tombs on the north side of said burying ground, and a neat iron rail fence on a stone foundation to be erected on the present site of said wall; provided, the whole alteration be at their expense; and provided, y! the same be executed under the direction and to the satisfaction of a committee of this board; provided also, that no use shall be made of the ground between the two fences, except such as the Mayor and Aldermen shall permit, and that it be kept as an

an open grass plot; Provided also, that nothing shall be done which shall in the opinion of the board of Aldermen affect the convenient use of the tombs.

Ordered, That the Mayor, Aldermen Loring and Upham be a committee to carry the same into effect.

Gibbs. Summer St.

The committee on the application of Sarah Gibbs, for permission to place elm trees in front of her house, in Summer street, near the edge stones, report, That permission be granted; Provided the work be done under the direction of the Superintendent of Streets, and reserving to the City the right to cause the same to be removed or cut down, whenever in the opinion of this board it may be deemed expedient so to do. Read and accepted.

Petition Washington Avenue.

Petition of William Parker, and others, praying, that Washington Avenue may be accepted by the City; Read and committed to Aldermen Kendall and Pickering, to consider and report.

Petition Kitchen st.

Petition of Cornelius Coolidge, a committee of the proprietors of estates abutting on Kitchen street, praying, that said street may be accepted by the City; Read and committed to Aldermen Loring and Upham to consider & report.

Auctioneer

Herbert L. Peabody, licensed as an Auctioneer No 91. Water street.

Petition of William Trench, & others, praying that the northerly branch of Sudbury street, leading from District house square to Portland street may be widened. Read and committed to Aldermen Kendall and Pickering, to consider and report. Trench Sudbury St.

Petition of Nathaniel Daniels, & others, praying that a common sewer may be laid in Grove street. Read and the prayer thereof granted; the work to be done under the direction of the Mayor, and the superintendence of the Superintendent of streets. Daniels Grove Street.

The City Marshal gives notice, that in pursuance of the order of the board of Aldermen he gave notice to Messrs Kittredge & Hyman, to reduce their several wharfs to the established level of Haverhill street, & that they have refused to comply with the same. Read and referred to the City Solicitor. Kittredge & Haverhill St.

The committee of the City Council, to whom the petition of Thomas Dennie and many others, citizens of Ward 5, was committed, have given to the subject all the attention demanded by its importance, and respectfully report, that early in April last, they applied for information to the School committee of the City, to whom they communicated said petition, and particularly requested their opinion, whether the wants of the population in that quarter of the City can be satisfied Dennie Ward No. 5. School

304 satisfied by the schools in Hawkins and Derne streets, which schools seemed at first to this committee to be sufficiently near to the remotest Inhabitants of Ward 5 to accommodate their children; that the school committee at their quarterly meeting in May gave respectful attention to the subject and referred the inquiry proposed by this committee to a sub committee, composed of the special committees of those two schools, Aldermen Loring, Savage, Rev.ds Messieurs Eaton and Bennett, and Messrs. Bowdoin and Joseph Head jun.r Esquires; that at the last quarterly meeting of the school committee, the report of those gentlemen was made and unanimously accepted, of which this committee have obtained a copy, which is herewith submitted; and finally, while this committee are fully sensible that the present Ward 5 is growing with greater rapidity than most other parts of the City, and a new school house may in a very few years become necessary for the accommodation of the children in that vicinity, they cannot but conclude, in concurrence with the school committee, whose doings they desire to have made part of this report, that at present the prayer of said petition it is inexpedient to grant, inasmuch as the wants of the children in that quarter do not require the erection of a new school house.

Respectfully submitted by Jas. Savage, for the Committee

Read and accepted. Sent down for concurrence.

Came up concurred.

Firemen Ward 9. ( ) Alonzo J. Lefean & Theodore Colby, nominated appointed firemen for ward No.o 9.

The committee on the petition of William Gutterson, and others, praying, that the paving of Castle street may be continued; report; that the new part of the street northwest of the large new brew house is not yet sufficiently consolidated, to permit of paving, with another economy, that the level must be raised about one foot and an half, below the paving, and that the sum for paving and repairs of streets for the present year will not bear the expence; which in the early part of the year had not been thought expedient to be finished this season.

Gutterson Castle st.

Read and accepted.

Ordered, That Aldermen Loring and Upham be a committee to cause Charles street, at the bottom of Kitchen street to be repaired in such manner as may be, by them deemed requisite.

Charles st.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the board of Aldermen of the City of Boston, on Tuesday the seventh day of October, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Hall, Pickering, Upham and Armstrong.

Boston free bridge.

The committee of the City Council who were authorized to submit all matters of difference between the City, and the Boston free bridge corporation to the arbitration and award of three persons mutually to be chosen and whose decision, or that of any two of them to be final and binding on the parties, and who were empowered to carry into effect said award, so as the same shall devolve on the City, respectfully reported, That in conformity with the authority vested in the said committee, they proceeded to submit the differences existing between the City in the said Corporation, to the decision of Loammi Baldwin, Samuel Hubbard and Willard Phillips, Esquires, who after hearing the parties and examining the bridge, streets and abutments, made the award which is herewith communicated, whereby the care, oversight, and completion of the said bridge, streets and abutments were decreed to devolve upon the City, on the payment of sixteen hundred and seven dollars; subject however to an election to complete certain work, specified in said award, to the satisfaction of the City, by the said Corporation, on the declaring such election within one week from the delivery

of

of said award, and your committee further report, that the said award was delivered on the second day of October instant, and that on the third instant, S. K. Williams, Esquire, as agent of said Corporation delivered into the hands of the City auditor the several deeds specified in said award; and also the sum above specified, on which delivery & payment the obligation of care and superintendence of said bridges and streets, devolved upon the City, by force of said award.

Your committee in pursuance of the further authority given in said order of the City Council, directed the superintendent of streets to take a general care and oversight of said bridges and streets, and to appoint a suitable person to take charge of said draw until the decision of the City Council should be known, and they further recommend, that a joint committee be appointed with full authority to cause said bridges, draw and streets, specified in said award, to be completed, & put the same into a state creditable to the City, & safe for the travel of citizens and others and convenient for the passing of the draw, forthwith; and that the said committee have authority to cause the travelling over said bridges, & through those parts of said streets immediately connected therewith to be suspended, until such time as in their judgment shall be necessary to complete the said bridges, draw, and streets, in the manner above specified, and that measures be taken to appoint a suitable person to superintend said bridges & draw. All which is respectfully submitted, by order of the committee. Josiah Quincy, Chairman.

Read.

308. Read and accepted, in Common Council, and Messrs. Everett, Waters, Paine, Connell, and Moody were appointed on its part, a committee to carry the same into effect. Came up for concurrence. Read and concurred, and the Mayor, Aldermen Loring, Hall and Upham are joined on the part of this board.

Boston free bridge Abutment.

Communication from the Boston free bridge corporation, declaring their election to complete the northerly abutment of the bridge; and claiming the return of four hundred and seventy four dollars, which has been paid according to the terms of the award, between said corporation, and the City, and they also request that a committee be authorized to settle definitively what further shall be done on said abutment. Read in Common Council, and referred to the committee who have in charge the completion and superintendence of the Boston free bridge. Came up for concurrence. Read and concurred.

Turnpike Street.

Order of the Common Council, directing, that the committee on the filling up part of Turnpike Street be instructed to report as soon as may be.

Came up for concurrence.

Read and concurred.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the board of Aldermen of the City of Boston, on Wednesday the eighth day of October, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Pickering, Upham and Armstrong.

Resolved, That the board will on the twentieth day of October, instant, at nine o'clock A. M. proceed to take down the buildings standing on the land recently taken by the surveyors of highways to widen Union street, through the estates belonging to the proprietors of the Green Dragon estate, and of the heirs or owners of the estates of the late Mr. Jenkins, and that the proprietors, owners, tenants, and all persons interested be notified and govern themselves accordingly. Union street.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen, of the City of Boston, on monday, the thirteenth day of October, Anno Dominii, 1828.

Present

The Mayor, Aldermen Loring, Savage, Kendall, Hall, Pickering, Ashham and Armstrong.

Wheeler, Washington St.

The committee to whom was referred the petition of Benjamin Wheeler, praying to be remunerated for land taken by the City, to widen Washington street, Report, that in their opinion there should be allowed and paid to said Wheeler, five hundred dollars in full compensation for the land taken from his estate to widen said street, and also in full of all other damages which he the said Wheeler his tenant or tenants may have sustained by reason of the alteration made by the City in said Wheeler's estate. Read and accepted.

French, Sudbury street.

The committee to whom was referred the petition of William French, and others, praying, that the northerly branch, so called, of Sudbury street, may be widened — Report, That they have viewed the said street and find, that the entrance to it on Portland street is wide and commodious; but the part referred to in the petition is very narrow and inconvenient, that in consequence of the improvements made in that vicinity, travel has much increased, and that the City has lately thought

proper

manner to repair one of the principal streets, namely Bisbee's house street, which leads directly to the narrowest part of the street in question, which improvement tends to increase the travel, and to direct towards that narrow part. The committee therefore have formed a very decided opinion, that the public convenience would be greatly promoted by widening, and that it will be expedient to widen that part of Sudbury street, called the northerly branch, by taking off a sufficient piece of land for that purpose, from the estate on the southern side of said northerly branch; but the committee in consideration of the present state of the public funds applicable to the improvements of highways, are of opinion, and do accordingly recommend, that the said widening prayed for by the petitioners be deferred for the present, until the petitioners and others interested shall agree to contribute towards indemnifying the City for the expence of the same at this time. The committee further recommend that the street be viewed by the whole board.

All which is respectfully submitted, by order of the committee.

A. Kendal.

Read and accepted.

The committee to whom was referred the petition of Silas Atkins, praying to be remunerated for land taken into Lynn street many years since, Report, that the strip claimed by Mr. Atkins has been used by the City for more than forty years as a public highway, and

Atkins
Lynn street.

and although Mr. Atkins maintains, that he has also an adverse proposition to that of the City; yet your committee are of opinion, that the nature of his claim is such, as that under the circumstances the Mayor and Aldermen cannot admit it. Read and accepted.

Coolidge Kitchen St.

The committee on the application of Cornelius Coolidge, praying, that Kitchen street may be accepted by the City, report, that the passage was referred to cannot be of any use to the City, as a public highway, and therefore ought not to be accepted and maintained as such. Read and accepted.

Green Dragon Lane Union Street.

The committee who were appointed to confer with the owners of the land taken to widen Green Dragon lane, as to the value of the land, and the time when the buildings shall be removed from the street, report, that they notified the owners of the two estates to meet them on tuesday the seventh day of October, and found, that Mr. David Parker, who was also notified, was Lessee of the Green Dragon estate, on conference with the owners of both estates it was found their opinion coincided with that of the committee from personal instruction, that it would not be inconvenient for the tenants and undertenant to remove from the buildings before the twentieth instant, of which the committee made verbal report on the eighth instant; but the committee report, that no advantage resulted from the

Conference

conference with the owners as to the value of the land taken for the street, and therefore they regretted the loss the absence of Wm. Parker, the Lessee of the Green Dragon estate; that Wm. Hill for himself and other heirs of Perkins demands at the rate of two dollars a foot for the land taken, which the Committee think would be very well paid for by fifty cents, inasmuch as they presume the value of the land remaining will be equal to what was the value of the whole, and would have continued, unless the street had been widened, and the proprietors of the Green Dragon estate demand at the rate of two dollars and a quarter for the land taken, per foot, exclusive of the satisfaction to be made to the Lessee; while the Committee are satisfied that seventy five cents a foot would be large compensation as they do not think the estate would sell for so much cash, since the reduction of the contents by the widening of the street, than it would have brought before by more than half the sum which they could recommend as compensation. Ordered, &c.

Read and accepted.

Petition of William Tucker, in behalf of himself and others, residents in the vicinity of board alley, at the head of Federal Street, praying, that the proprietors of the new buildings adjoining may be permitted to lay a brick paving in said alley, for the accommodation of the public, or that such other measures may be adopted in relation thereto, as the exigencies of the case seem to require. Read

Tucker
Federal St.
Board alley

and

311 and committed to Aldermen Kendall and Pickering, with authority to do in the premises what to them may be deemed expedient.

Homer — Petition of Eleazer Homer, praying to be compensated for damage done to his pond of water at South Boston, by the hogs belonging to the City, at the House of Industry, in the summer of the year 1824. Read and committed to Aldermen Hall and Wilkins, to consider and report.

Wheeler alias Nottage. — The City Solicitor reports on the communication of the Directors of the House of Industry, in relation to an estate which Harriet Wheeler who is now an inmate of said House; has a right, that said Wheeler otherwise Nottage has a right of dower, in an estate in Benchman lane, and recommends that an action be brought in her behalf, to have the same set off, to her, if she will give her consent to the same. Read and accepted, and ordered, that the same be referred to the City Solicitor for the purpose of commencing an action as recommended by him.

Jones South Allen St. — Petition of Thomas T. Jones, and others, owners of estates and abuttors on South Allen Street, praying that said street may be accepted by the City Hereafter called McLean, street in honor of the great benefactor to the General Hospital, to which said street is a minute

avenue

avenue. Read and committed to Aldermen Loring & Upham, to consider and report.

Ordered, that Benjamin C. Newers Newers, Innholder be notified to appear before this Board on Monday next, four o'Clock P. M. and show cause if any he have, why his license as an Innholder should not be revoked, for a Breach of the license Law, in keeping a disorderly house, and not putting the sign required by Law.

Communication from the City Solicitor inclosing one dollar, received of P. Higgin, a Truckman on complaint for standing with his Cart or truck in Elliot street more than one hour; in violation of the statute of the Commonwealth, passed June 22. 1799. Section 3. which gives one half the penalties provided therein to the poor, and the other half to the Surveyors of highways. Read and thereupon ordered, that the same be paid to the auditor of accounts to go into the Treasury. Sol. City concerning a fine

Ordered, that notice be published in the papers to all persons whose estates front on Elliot street, Boylston, Warren and Pleasant streets to appear before this board on Monday next, four o'clock, P. M. and shew cause, if any they have, why the Common sewer in Elliot street should not be relaid and extended to the Back bay, or receiving Elliot street drain

basin

basin (so called) and the expense thereof apposed upon those whose estates shall be benefitted thereby.

Primary school

Gun house on Fort hill

(Memorial of the primary school committee praying, that the Gun house on Fort hill may be raised on Fort hill may be raised for the purpose of making two rooms for the accommodation of two primary schools.

(Read and committed to Aldermen Kendall & Armstrong with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Pray, Gibbens and Lamb.

Francis

Hanover St.

The committee on the notice of Ebenezor Francis, Junior, that he is about building on Hanover Street, reported, that it is inexpedient to make any alteration in the line of the street in that place.

(Read and accepted.

(Adjourned to Monday next, four o'Clock, P. M.

At a special meeting of the Board of Aldermen, of the City of Boston, on Wednesday, the fifteenth day of October, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Kendall, Hall, Pickering, Upham and Armstrong.

Old State house.

Order of the Common Council, appointing Mess.rs Oliver, Appleton, and Thomas Gould, with such as the Board of Aldermen might join, a committee to consider and report upon the expediency of repairing the exterior of the Old State house, so called, particularly, in reference to the walls being covered with cement in imitation of granite or marble. Came with for concurrence. Read and concurred, and Aldermen Loring & Armstrong are joined.

Boston free bridge.

The committee of the City Council, on the subject of the Free bridge to South Boston, respectfully report in part, that having examined the said bridge, wharves, abutments and sheds connected therewith according to their authority and with reference to what may be necessary to be done for the accommodation and safety of the travel the present season, they find that in addition to those repairs which are essential to the bridge and to the roads and abutments it is necessary that the wharves and piers below the draw should be planked; that buoys should be placed,

one

Boston free Bridge.

one on each side the bridge in suitable positions and above all that a house for the superintendent of the draw should be built on one of the wharves. This last accommodation is above all others the most essential to be forthwith provided; inasmuch as it is necessary that such superintendent should be present near the draw by night as well as by day, and the exposure at the present and coming season is and will be such as to make the duty to provide a sufficient shelter imperious. Your committee having caused an estimate to be made of the several expenditures requisite for all the works above specified so far as the same can and ought to be executed the present season, are of opinion that the sum of two thousand dollars will be a sufficient sum to be paid at the disposal of the committee for these objects, they therefore have prepared two orders, the one making an appropriation of that amount out of the reserved fund, the other adding the sum paid into the City Treasury under and by virtue of the reference to that fund which are herewith submitted. By order of the Committee. Josiah Quincy, Chairman.

Ordered, that the sum of eleven hundred and seven dollars being the amount paid into the City Treasury by the Boston free bridge corporation be and the same is hereby added to the appropriation for a reserved fund.

Ordered, that for the purpose of making the necessary repairs and improvements upon the free bridge to South Boston, its abutments, wharves, the streets, connected therewith and

and building a house for the superintendent of the draw
That the sum of two thousand dollars be and the same
is hereby appropriated; and that the same be withdrawn
from the appropriation for a Reserved fund. Read and
accepted in Common Council and the orders passed.
Came up for concurrence. Read and concurred.

Mill Creek

The committee to whom was referred the subject of filling up the Mill Creek between Inn and Marginal streets respectfully report, that they have obtained the assent of the several proprietors of land adjoining the Mill Creek between Inn and Marginal streets as will appear by a contract marked A, to filling up the said portion of the Mill Creek and relinquishing in consideration thereof and the laying a street out over the same, all claims & damages in closing said Creek. They have also obtained the assent of the Directors of the Mercantile Wharf Corporation to such filling up and a vote passed upon their willingness to facilitate that measure, which is submitted herewith, marked B. Your committee have also caused an estimate of the cost of such filling up by a civil committee of which G. W. Otis, Esq. was Chairman which is also submitted marked C. By which it appears that the cost of such filling cannot exceed four thousand and fifty dollars. It is believed however, that the actual expense will fall short of that estimate. The City being under contract to fill up that part of the Mill Creek which lies between Devonshire and

Marginal

Mill Creek

Marginal Streets, and also to build two bridges over the said Mill Creek, one at Marginal and the other at Second Street; it is apprehended by your committee that the mode proposed is in all other the most economical and permanent. It will be recollected also that the expense of filling up the space between the bridges, which with that of the stone Bulkhead at Marginal Street will be probably to be deducted from the amount which is to be paid to the Mercantile wharf corporation, whereby the actual expense will be reduced to between two and three thousand dollars. Under the view of the whole subject, your committee are of opinion, that an authority should be given to the Surveyors of highways to fill up the Mill Creek as proposed, and that an appropriation of the sum of four thousand dollars be appropriated, for that purpose. Respectfully submitted, by order of the Committee. Josiah Quincy, Chairman.

In Common Council read and accepted, & thereupon ordered, that the sum of four thousand dollars be and the same is hereby appropriated for the filling up of part of the Mill Creek, which lies between the westerly side of the bridge in Ann Street, and the easterly side of Marginal Street, and for the construction of a suitable common sewer through the same, and that the said amount be withdrawn from the reserved fund.

Came up for concurrence.

Read and concurred.

Stimpson

The committee of the City Council on the petition of Charles Stimpson Junior, respectfully report, That at the fire in Washington street on the twenty third day of March last, he being one of the firemen of company No 9, fell from the house on fire upon the pavement and broke his thigh bone, at the hip joint, he being then in actual service doing his duty as fireman: That he was confined six weeks to his house from the effects of said accident, and lost as he estimates nearly half of his time since by the consequences of it, and had Physicians bill and for medicines thirty nine dollars and seventy nine cents. In the opinion of your Committee the case is one, in which some allowance ought to be made by the City; and recommend that the sum of one hundred and eleven dollars and seventy nine cents be granted in full for all claims against the City for and on account of said accident, and the consequent injury sustained by him. All which is respectfully submitted, by order of the Committee.

Josiah Quincy, Chairman.

Read and accepted in Common Council, and the following Order passed; viz (ordered), That there be paid to Charles Stimpson Junior, in full for all claims against the City, for an injury incurred in their service as fireman, the sum of one hundred eleven dollars seventy nine cents & that the said amount be charged to the appropriation for the fire department. Came up for concurrence.

Read & concurred.

Adjourned to Monday next, four o'clock, P. M.

At a special meeting of the board of Aldermen of the City of Boston, on Saturday the eighteenth day of October, Anno Domini, 1828. —

Present

The Mayor: Aldermen Loring, Kendall, Hall, Quincy, Savage and Armstrong.

Mill Creek

Ordered, that the Mayor, Aldermen Hall, Upham & Armstrong be a committee to carry into effect the report of the committee of the City Council in relation to filling up the Mill Creek, from Sum to Marginal streets, and making a sewer through the same. —

Bellamy
Deer Island

It appearing to this board, that William Bellamy keeper of Deer Island has failed to pay his rent conformably to the covenants in his lease, and that after demand made thereof by the Mayor, continues to neglect to pay the same, & said rent is in arrear. Whereupon ordered, that the Mayor proceed forthwith to Deer Island, and demand the rent upon the premises and on failure to pay the same, that he take possession of said Island on behalf of the City, expel said Keeper thereupon.

Voters

Ordered, that public notice be given, that votes will be rec.d at the ensuing election from the legal voters, in the several wards where their names are borne, that additions & alterations will be made by application at the Mayor & Aldermen's room any time before Monday the 3.d of November next.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday, the twentieth day of October, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Hall, Tileston, Otis, Ham and Armstrong.

Petition of Warren Bridge, Proprietors, also petition of John W. Trull, and others, praying, that the streets and avenues leading to the Warren bridge may be laved or macadamized: Read and committed to Alderman Armstrong, to consider and report. Warren bridge. Trull.

Ordered, That the subject of widening and accepting South Allen street, be committed to the Mayor, Alderman Loring and Otis, with authority to agree upon the terms and conditions that said street shall be widened and accepted by the City, their unanimous agreement to be acquiesced in by this board. South Allen street.

The committee to whom was referred the petition of William Tucker, on behalf of himself & divers other persons, praying for the intervention of this board in relation to the improvement of "Board Alley," so called, at the head of Federal street, Report: That they have heard the petitioners, by said Tucker, & also William Lovering, who is the owner of a new wooden building adjoining Board alley (who Tucker. Board alley.

is

321. is alluded to in the petition as having objections to the proposed measures of the petitioners in this case; and after having heard the parties aforesaid, and considered the public convenience and necessity of the way in question, they find, that the safety and convenience of the inhabitants require, that the said way should continue to be kept open, as a common passage way, as the same has from time immemorial been used. And they are of opinion, that in order to accommodate the public in the best practicable manner, the said alley should begin upon the same level with the side walk of High street, and gradually descend to Purchase street as nearly as may be upon a regular inclined plane, so far as the shape of the ground will admit, and that the said alley should be paved with brick forthwith, provided the petitioners will, as they offer, defray the expense of having the same. By order of the com.ee Th.s Kendall.

Read and accepted, and referred to the committee of the District to carry the same into effect.

Sawtell & Jacobs Washington St.

The committee to whom was referred the petition of Mary Sawtell, and Lydia Jacobs, praying indemnity for damages sustained by them, in consequence of vacating their shop and dwelling in Washington street, by order of the City authorities, Report, that there should be allowed and paid out of the Treasury, to Mary Sawtell & Lydia Jacobs one fourth of one years rent, being eighty dollars, in full compensation for any & all damages, they may have sustained.

Read & accepted.

Brinckley & Bryant Washington St.

The committee to whom was referred the petition of Sarah Brinckley and Alice Bryant, praying for compensation for damages sustained by them, as they were under the necessity of vacating their shops and dwelling house in Washington street, by order of the City authorities, Report, That there should be allowed and paid out of the City Treasury, to said Brinckley & Bryant, eight ty dollars in full compensation for all damages which said petitioners may have sustained in consequence of any acts or doings of the City authorities. By order of the committee.

Tho.s Kendall.

Read and accepted.

Green street Church

The committee of the western district report, that in March 6th 1826, there was taken from the land belonging to the Church in Green street, for the purpose of widening said street four hundred and thirty eight square feet, which is estimated by the committee to be worth one dollar and fifty cents the square foot, or six hundred and forty seven dollars. Jn.o T. Loring, for the Com.ee

Read and accepted.

Deer Island. Bellamy

The Mayor reports, that in compliance with the order of the board of Aldermen of the 18th instant, he forthwith proceeded to Deer Island, and demanded of William Bellamy, the tenant thereof, the payment of the rent in arrear, in the mansion house on said Island, about noon

of

of that date, and the said Bellamy neglecting and failing to pay the said rent, he took possession of the said Island on behalf of the City, and put the said Bellamy out of the house, and delivered possession thereof to Capt. Thomas B. Smith, Superintendent of the works now erecting on that Island, by the United States, to hold the same until the further order of the Board. Witnesses of this taking possession were John T. Loring, Esq. and Doctor Jerome V. C. Smith.

Read and accepted.

Elliot Street Sewer.

It appearing to this board, that notice has been given agreeably to the order passed the 13th instant, for all persons interested to appear and object to the relaying and continuing the common sewer in Elliot street to the Back bay; and no person appearing to object, it is thereupon ordered, that the same be laid, and the expense thereof assessed according to law.

Old State House.

The committee of the City Council who were directed to consider the expediency of covering the exterior of the Old State house, with cement in imitation of marble or granite Report, that for the present it is not expedient to take any order in relation to the subject.

Read and accepted. Sent down for concurrence.

Came up concurred.

Constable.

Michal Riley, nominated & appointed a Constable.

The committee appointed to consider and report, what alteration is necessary to be made in the ordinance to regulate the standing of hackney coaches, and other carriages in the streets near the several Theatres. Also what alteration is necessary in the ordinance in relation to the projection of signs into the streets - reported, that it is not expedient to make any additional regulation by way of ordinance; relative to hackney and other carriages standing in the vicinity of Theatres, and that they submit an ordinance relative to the projection of signs into the streets. Read & accepted. Sent down for concurrence.

Hackney Coaches & other carriages.

Came up concurred.

An ordinance prohibiting the projection of signs into the streets, being read & passed. Sent down for concurrence.

Signs.

Came up concurred.

Ordered, that warrants be issued, for meetings in the several wards, on Monday, the third day of November next, at eleven o'clock, A. M. for the election of fifteen Electors of President and Vice President of the United States, also a member of Congress, for Suffolk district. The polls to be kept open until three o'clock, P. M.

Warrants for said meetings.

Adjourned to 10 o'clock, tomorrow morning.

328.

At a meeting of the board of Aldermen of the City of Boston, on tuesday, the twenty first day of October, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Hall and Upham.

Street from Turnpike to Bridge

Resolved, That the Surveyors of highways, be and they hereby are requested to lay out a street from the termination of the South Boston turnpike to Third street, in the direction of said Turnpike; and the southerly abutment of the new Bridge, and of the width of said turnpike, and to cause the same to be filled up, solid, in such manner, that the width thereof, at the proper level of said turnpike street, shall be forty feet, or the width of said turnpike; if the proprietors of the flats adjacent to the proposed street, will agree to fill up the same simultaneously, or to compensate the City for the earth that may slide from said street into their premises; Provided however, that before a street be laid out as aforesaid, the flats over which the same must pass, be conveyed to the City, by good and sufficient deeds.

Resolved, That for the purpose of defraying the expense of filling up as aforesaid, the sum of fifteen hundred dollars, be and hereby is appropriated, to be withdrawn from the Reserved fund. Came up for concurrence.

Read and concurred.

Ordered, That the Mayor, Alder- 329.
men Aldham and Armstrong, be a committee to carry Com. on New
the report of the committee into effect, in relation to the Street
laying out a new street, from the end of the Dorr. Bridge
Southside to the new Bridge.

Ordered, That the further sum of Rainsford
four hundred and twenty five dollars, be and the same Island
hereby is appropriated for the construction of a wharf on
Rainsford Island, and that the same amount be with
drawn from the Reserved fund. Came up for concur
rence. Read and concurred.

An ordinance establishing the office Boston fee Bridge
of Superintendent of the Boston free Bridges, and prescribing Superintend.
the duties thereof" being read, passed, in concurrence with
the Common Council.

Ordered, That Monday next, four Superintendent
o'clock P. M. be assigned for the choice of a superintendent Choice of
of the Boston free Bridges, on the part of this Board.

Adjourned to Monday next, four o'Clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday the twenty seventh day of October, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Hall, Pickering, Upham and Armstrong.

Wharf & flats Faneuil Hall Market.

The committee of the City Council, who were directed to consider the expediency of selling by auction, or otherwise the right of the City to extend a wharf over the flats, eastward of Faneuil Hall Market, respectfully report, that this right embraces an extent of flats equal to three hundred and fifteen feet in length, and in breadth on the west line of one hundred and ninety eight feet, and on the east line of one hundred and sixty eight feet, and includes fifty seven thousand six hundred and forty five feet square of wharf. Besides the right of dockage on three sides of said proposed wharf. All which will appear by a plan herewith, drawn by S. P. Fuller Esq. dated October 4. 1828. In considering this subject, it is impossible not to perceive the permanent importance of this space to the City, as a possession, and its prospective, increasing value as a property. Such are the relations of the space, included within this right of wharf, that there seems to be no possible state of things, in which it could be wise for the City to abandon the control over it, which it now possesses, by its right of property. Lying at the head or junction, of

What

what must soon be, six of the most thronged and busy streets of the City, viz: Marginal street, North and South Market streets; Chatham street — the street leading from Long wharf, and the contemplated street over the Creek. The efficient and permanent conduct of the business to be done on that space; & the manner of conducting it, seems to be peculiarly important to be retained in the City government from its own location with reference to the general business of that part of the City; but when, in addition to this, the fact is considered, that it contains the whole space lying between the New Faneuil Hall market and the channel, and that this is the only space within which either the Market itself can be extended, or the accommodations of those doing business in it, enlarged, should the increasing greatness of the City render it necessary. There seems as if no possible state of things could exist, which could justify the City in divesting itself of the fee it has acquired in that property. The idea therefore of selling those wharf rights, ought not to be entertained?

A question having been made before your committee, whether it would not be expedient to lease those wharf rights to others, rather than undertake to fill them up on account of the City, your committee were of opinion, that the relations of this property were such, that its value and importance to the City, either as property, or a pecuniary, could not be well understood previously to its being filled up and actually occupied; and that it would connect itself so intimately with the business of the Market, and of the streets above mentioned, joining upon it, that the

control

Wharf Flats
Faneuil Hall
Market

control of it should not, even temporarily, be put out of the power of the City, until its value and importance should be tested by actual experience. Under these impressions, your committee were of opinion that before taking any measures on the subject of leasing it, the space should be filled up by the City, and on its own account. And they were further of opinion that no delay out to occur in carrying the same into effect. The incomes from the wharfage and dockage, which have been derived from that space of flats, since the completion of the New Faneuil Hall Market have been ~~xxx~~ necessarily of a very limited character, and of a nature, and collected under circumstances, affording no, or very inadequate data of the value of the City wharf-rights in that space.

While the business of the City and the plans of improvement connected with the New Market were arranging themselves, with reference to the new state of things in that vicinity, it was thot expedient for the City to continue availing itself of the benefit of these wharf rights, and indeed until a final settlement with the mercantile wharf corporation, and obtaining their right to the flats in front of the estates of that Corporation, any exclusive use of those flats, by the City was impracticable. The consequence was that the whole incomes from wharfage and dockage in this great space owned by the City have been confined to those, which have been collected in that part of the sixty five feet street, laid out from Long Wharf to Marginal street; and which part, owing to temporary circumstances, was deemed not wanted for the purposes of a street. By the completion of Marginal street, those

circumstances are now, or will be immediately, wholly changed; the occupation of that part of the sixty five feet street now used as a wharf can no longer be permitted, and it becomes unavoidable that the City should take measures to avail itself of the advantages of these wharf rights to their full extent.

What those advantages may reasonably be anticipated to be there may exist some difficulty satisfactorily to estimate; inasmuch as the effect of all the improvements now making in that vicinity, on the value of these wharf rights must necessarily be a matter of opinion merely; that such effect and the resulting advantages must be great, there can be no question. Perhaps, however; some light will be thrown on the point by the following statement.

It appears by the statement of Mr. Hayward, Clerk of the Market, that the incomes of wharfage and dockage collected under all the disadvantages and restrictions abovementioned; amounted during the year 1827. to the sum of twenty two hundred Sixty three dollars. That he had already received, between the first of January, and the fifteenth day of last September during and for the year 1828, on the same account the sum of nineteen hundred Sixty dollars; That the amount received during the year 1827, between the first of January and the fifteenth of September of that year was the sum of fifteen hundred dollars, and the amount collected between the fifteenth of September and fifteenth of Dec.r 1827. was seven hundred and sixty three dollars, amount as above stated collected in 1827. $2263. Now if a like proportion of increase of income shall occur, during the residue of the present year as had occured during the preceding part of it, before

the

331. The fifteenth of September, it will be found that the additional
Wharf & Flats income the present year may be stated at nine hundred and
Faneuil Hall ninety seven dollars. This added to the amount already received
Market. as above stated, exhibits a gross aggregate of twenty nine hundred and fifty seven dollars, as the productive incomes of this wharfage and dockage the present years under all the disadvantages above mentioned. The whole extent of the line of sheet now used as wharf does not exceed three hundred feet Considering therefore the wharf and dockage incomes in round numbers the present year at three thousand dollars, which they will be nearly,- the product of income may be stated at one thousand dollars, for every one hundred feet of wharf.- The line of wharf which the City will own in case its whole wharf right be filled up, as proposed, is about eight hundred feet, and supposing a proportion of income on each hundred feet, equal to what has already been received will be, after it is filled up, eight thousand dollars. As some objections may be raised to this estimate, on the ground that from the competition on the wharves belonging to Marginal Street, the increase will not be in that proportion, it is answered that for certain species of business, there is no location, which can compete with the City wharf on equal terms, and that from the applications made for births, and the anxiety manifested to use the present wharf of the City, Mr. Hayward, states it to be his unequivocal opinion that the proportion of the increase of the annual income of the City, in case the extension proposed be given to the City wharf, cannot be less after deducting all

expenses

expenses than an amount equal to eight hundred dollars a rack hundred feet, or a gross annual sum of six thousand, four hundred dollars. By the annexed estimate of Mr. Fuller, it appears, that to fill up the proposed space of what in a substantial manner, will cost a sum somewhat less than twenty thousand dollars.

Faneuil Hall Market.

However reluctant your committee are to recommend an increase of the public debt, for any purpose; yet in a case, where the burden, would be, as in this, merely nominal; and for the improvement of a property, which it must be admitted, on any calculation will pay a great interest upon the investment made in the City, they cannot hesitate to recommend it; Particularly, as it appears to your committee that the rights of wharfage & dockage, are not the only rights from which it will be in the power of the City to derive income: As it will not probably be thought expedient to build stores, for the present, at least, on any part of land thus filled up; all the intermediate space, between that which is occupied for passage ways and wharfage may be profitably leased occasionally, for the week, or the quarter, and at high prices, for purposes of temporary business accommodation. Without detailing farther the advantages to the incomes of the City, to be derived from the proposed measure, they respectfully recommend a resolution embracing a course, which in their opinion it will be suitable for the City Council to adopt.

Which is submitted, by order of the committee.

Josiah Quincy, Chairman.

Resolved, That Messrs. E. Williams, Moody, Pratt, Pickman, and Means, with such as the board of Aldermen

may

Wharf. Flats Faneuil Hall Market.

may join, be a committee with full power, and authority to cause the flats belonging to the City lying at the eastward of Faneuil Hall Market to be filled up, conformably to the plan of Stephen P. Fuller, Esq. dated the fourth day of October instant, with such alterations as they may think advisable; and for the purpose of defraying the expense of such filling up, and for buying the necessary stone walls, platforms, caps, ballast, earth and gravel, the said committee be and hereby are authorized to borrow a sum not exceeding twenty thousand dollars, in such terms of time, not exceeding ten years, and such rate of interest not exceeding five per cent. as the said committee shall deem expedient, three fourths of the whole committee concurring in the terms of such loan; and signing a certificate to that effect, on which certificate being filed in the auditors' office, the Mayor, Treasurer and Auditor of the City are hereby authorized to issue certificates to that effect, for any sum so authorized by said committee.

Resolved, that all the income hereafter derived from the City's wharf, east of Faneuil Hall Market, shall be placed in the hands of the committee on the reduction of the public debt, until the said income shall equal the amount of debt which may be created under the foregoing resolution.

Read and accepted in Common Council, and the Resolves passed. Came up for concurrence. Read and upon and upon the question of concurrence, the members were required to answer yea or nay, agreeably to a rule of the City Council. Yeas. The Mayor, Aldermen Loring, Savage

Savage, Kendall, Hall, Upham and Armstrong ... 4.

Nays - none. So the same passed in concurrence with the Common Council, and the following committee were appointed, on the part of the board, to carry the same into effect, viz. The Mayor, Alderman Loring, Upham and Armstrong.

City guards Armory.

The committee to whom was referred the application of the City guards for leave to occupy a room in the upper part of Faneuil Hall for an armory, report, that they have viewed apartment referred to, found the same unoccupied for any useful purpose, and may be converted into an armory, without prejudice to the building. They recommend, therefore, that the permission required be granted, and that the sum of one hundred and fifty dollars be allowed, to aid the company in putting the room in a condition to be used for the purpose aforesaid.

Read and accepted.

Warren bridg Trull

The committee to whom the several petitions of Warren bridge proprietors, and John H. Trull, & others, praying, that the streets and avenues leading to the Warren bridge may be paved or macadamized - Reported, that whenever the abutters on the street leading to the Warren bridge shall have put down the edge stones, and put the side walks in a state satisfactory to this board, then it will be expedient for the City to macadamize or pave the same. Read and accepted.

338.

Petition of William C. Jenkins,

Jenkins
Dorchester &
Third streets.

praying, that the corner of Dorchester and Third streets may be established, so that he may conform to the bounds of said streets, where he is about building. Read and committed to Aldermen Savage and Hall, with instructions to employ Wm. Fuller, the Surveyor, for that purpose.

Gay

Petition of Seth Gay, praying, that a fine and costs may be refunded to him by the City, amounting to twenty four dollars, and ninety nine cents, which he paid in virtue of a judgment of the Municipal court, for a supposed breach of the by-laws of the City, regulating trucks &c. the proceedings of said Court being subsequently quashed by a judgment of the Supreme Judicial Court. Read and committed to the Mayor, Alderman Savage, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Paine, Bolton and Seaver.

Bellamy
Deer Island

Petition of William Bellamy, praying that he may be paid by the City, the expense he has incurred by erecting buildings, and for betterments made by him on Deer Island. Read and committed to the Mayor, Aldermen Loring, Wilson and Tinsdale, to consider & report.

Indians.

Publication of six Oneida Indians for a license to exhibit at Julien Hall; War dance &c. Read & the Mayor thereof granted.

Webb's Legacy.

Ordered, that the auditor of accounts, be and he is hereby constituted the agent of this board, for the purpose of receiving the income of the fund, bequeathed by the late Rufus Webb, to be applied to the purchase of books, for the use of the indigent scholars of the Franklin school; & that the said auditor be directed to pay over from time to time, the amount of income so received by him, to the writing master of the said Franklin school, to be by him applied to the purposes expressed in the will of the donor; an account of the expenditure to be furnished by the writing master annually, in the month of June to the auditor, and by him to be submitted to the Mayor and Aldermen.

Smith's Protest.

Communication of Ebenezer Smith, protesting against the City's filling up the Mill Creek, from Sun street to Marginal street. Read and committed to the Mayor, Aldermen Hall, Upham and Stanstrong, to consider and report.

Hayward.

Communication from Joshua V. Hayward, in relation to a stable on Hanover street which it is alleged is built contrary to law, praying that a committee may be appointed to examine the building &c. if it does not strictly conform to the spirit of the fire law, & if in their opinion it does not to point out what alterations must be made to render it conformable thereto. Read & com. to the Mayor, Ald. Tendall & Pickering, to consider & report.

Adjourned to Monday, next, four o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston on monday, the third day of November, Anno Domini, 1828.

Present.

Aldermen Loring, Savage, Kendall, Hale, Upham and Armstrong.

Chairman pro tem.

The Mayor being absent by reason of indisposition, the board proceeded by ballot, to elect a chairman, pro tempore; and the votes being taken, it appeared that the Hon. James Savage was chosen.

Fearing & Thomas Merchants Row.

The committee of the City Council, to whom was referred the petition of Lincoln Fearing and Benjamin Thomas, respectfully report, that the said Fearing and Thomas in their said petition represent, that they are mariners under the firm of Lincoln Fearing & Company, & that they occupied in the year 1824, a building in Merchants Row Nos 19 & 20, from which they removed at the request of the City authorities, without the application of legal force; under the confidence, as they assert, of being indemnified for all cost, expense and damage, consequent on such removal; that they had occupied said store many years, with an implied agreement & consent of the owners, that they should continue so to occupy as long as the firm should continue; or should wish to remain in said occupation; and that they pray compensation for damages as stated in said account amounting to fifteen hundred fifty one dollars, eighty one cents. Your committee having

having carefully examined into the representation of said Fearing and Thomas, ask leave to state, that the firm of Lincoln Fearing & Co does not include merely the said Fearing & Thomas, as the said petition purports, but that one Joseph R. Newell, in the year 1824, was and ever since has been, and is now a partner in the said firm, and doing business under the said name. That the said Newell, as being partner, was also owner of the said stores No. 19 & 20, for the removal from which this claim is made. That the said Newell anticipating the great benefit, which would result to him as owner of said estate from the improvement then (in 1824) contemplated was among the first to make an arrangement for the sale of his estates to the City, & did agree to take such sale for the sum of Thirty thousand Dollars. That on the 2d of July, 1824, the committee having the superintendence of Faneuil Hall Market improvements, notified all tenants to remove in thirty days from all buildings purchased or agreed for, within the space of operations. Under which order it is believed that said Lincoln Fearing & Co did remove conformable with said order. Relative to the compensation for removal in these cases, your committee are informed the committee superintending the Faneuil Hall Market adopted the principle, which they deemed just, and in which they settled the cases of tenants, who then removed, and who were mere tenants at will, which was to allow them one quarter's rent in full for indemnity for such removal. Lincoln Fearing & Co were in the relation of tenants at will, to one of their own firm Mr. Newell. He entitled to any indemnity more only entitled to

Lincoln Fearing & Co

the

Fearing &c.

the said one quarters rent. There is no evidence on the records or among the papers of the Faneuil Hall committee, which after a careful examination can be found, that Lincoln Fearing &c. ever applied to that committee for any indemnification whatsoever. They apear however that they did so apply, and having received for answer, that they could receive only one quarters rent, and being satisfied with it, they omitted to prosecute the claim farther, and have permitted it voluntarily to rest, until the present time, without making any farther claim on the subject. Your committee farther state that on the 9th of October 1826. the committee on the memorial relating the building of the New Faneuil Hall Market house, caused an advertisement to be published notifying all persons having claims against that committee, to present them for settlement, prior to the coming finally the concerns of that committee. Of which advertisement Lincoln Fearing &c. do not pretend that they took any notice, or that they were led by it to take any steps whatsoever. Antecedent to this time, however, the said Josiah F. Newell entered into a reference with the said City, relating to the damages it was sustained by, or in consequence of the appropriation of his estate as above mentioned, and after hearing, the referees awarded that the City should pay to him Thirty Thousand dollars in full compensation for such damages, and of all demands, in or on account of such appropriation made by the City of said estate, which sum was accordingly paid by said City. Under the circumstances above stated, your committee are of opinion that the removal of the said firm from the premises was thereby considered

considered, not in consequence of the notice given, by the Faneuil Hall committee to the tenants, but in consequence of a contract then at that time existing between the said Newell, and the City authorities to the performance of which on the part of said Newell, the removal of said firm was essential, that the said Newell had a right as owner of the estate to terminate his will, at his pleasure; and that if his partners, as they assert, sustained any damage by such removal, their claim is justly, and of right against the said Joseph K. Newell, and not against the City; and they therefore recommend that said Lincoln & Fearing and Benjamin Thomas have leave to withdraw their petition. All which is submitted; by order of the Committee.

Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Ordered, That Aldermen Kendall & Dale, with such as the Common Council may join, be a committee to consider and report, what compensation shall be allowed the Superintendant of the Boston free bridge. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs. Ashmead, Moody & Simonds. Sup. B. free bridge Comtee.

Agreeably to assignment, the board proceeded by ballot to elect, a superintendent of the Boston free bridge, & the votes being taken, it appeared that William Warner was chosen. Sent down for concurrence. Boston free bridge Supt. chosen.

Came up concurred.

344. David Gurney was chosen a survey

Sun. Bds. Lumber &c. of boards, and other lumber. Sent down for concurrence.

Came up concurred.

Deed to City. Deed of quitclaim from the South Boston Association, Cyprus Tiger, Charles Ewer, and David Rice, to the City of Boston, of all their right, title and interest which they have to the land, to be laid out as a street, at South Boston, from the Turnpike to First street, to be used as a public street forever. Read and committed to the committee appointed to carry into effect the report of the committee of the City Council, authorizing the filling up the pond & laying out the above mentioned street, to consider and report.

Engine house. Lease from Jonathan Phillips and Josiah Quincy, Esquires, trustees under the will of William Phillips, Esquire, deceased, for the use of Edward Bromfield Phillips, a minor, of a lot of land on Water street, with a wooden building thereon, intended as an engine house. Read and thereupon ordered, That the Mayor execute the same on behalf of the City.

Adjourned to a quarter before 4 o'Clock P. M. tomorrow.

At a meeting of the board of Aldermen of the City of Boston, on Tuesday the fourth day of November, Anno Domini, 1828.

Present

The Mayor. Aldermen Loring, Savage, Kendall, Hall, Wilham, and Armstrong.

Order of the Common Council, authorizing the treasurer to borrow for the use of the City, and in anticipation of the tax of the financial year, commencing May, 1st. 1828, a sum of money not exceeding thirty five thousand dollars; reimbursable at such times, within said years and on such terms and conditions as the committee of finance may approve. Came up for concurrence. Treasurer to borrow money.

Petition of R. S. Evans, and others, Watchmen of the eastern section of the City, praying, that they may be furnished with beds and bedding, at the watch house; Read and committed to Aldermen Kendall, Hall & Wilham; with such as the Common Council may join; to consider and report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part Messrs. Fox, Otis, Towle & Brook. Evans Watchmen.

Petition of Robert Williams, and others, praying, that the street, in the rear of their estates on Washington place, may be repaired and paved. Read and committed to Aldermen Kendall & Pickering, to consider and report. Williams

Electors of President & Vice Pres. U. S.

The board proceeded to examine the returns from the several wards, of the votes given in, on Monday, last, for fifteen electors of President and Vice President of the United States, and found them as stated and particularly described in the records kept for that purpose, and thereupon ordered, that the return be signed by the Mayor and Aldermen, and attested by the City Clerk, and sealed up, directed to the Secretary of the Commonwealth and delivered at his office.

Member of Congress.

The board also proceeded to examine the returns from the several wards, of the votes given in, on Monday, last, for "one able and discreet person, being an inhabitant of the district of Suffolk, to represent the Inhabitants of the Commonwealth of Massachusetts, in the next Congress of the United States and found the whole number of votes to be four thousand one hundred and thirty one of which the Hon. Benjamin Gorham had three thousand two hundred and thirty four, and several other persons the remainder as particularly set forth and described in the records kept for that purpose and thereupon ordered, that the return be signed by the Mayor and Aldermen and attested by the City Clerk, sealed up & directed to the Secretary of the Commonwealth, and returned to his office according to law.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday the tenth day of November, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Hall, Pickering, Upham and Armstrong.

Shepherd New Street.

The joint committee to whom was referred the petition of R. D. Shepherd, and many others, in favor of opening a street from Common across Warren to Pleasant streets, according to plan of A. F. Fuller, having duly attended to the same, report, that in June last, they examined the ground thro' which the projected street will pass, and were perfectly satisfied of the correctness of the facts in the petition represented. That it is an object of great interest to all the neighborhood that such a street should be opened; and of no small concern to the whole community; but the committee cannot derive any satisfactory conclusion from an order or vote of the Surveyors of highways in 1825, that such a street should be opened, because the said order was not accompanied by any taking of the land in pursuance of law, as the surveyors might have done, and as it did not specify any time when such street should be opened, the measure ought to be regarded only as an expression of the opinion of those officers, that it was expedient to open said street, but not at the expense of the City; that in July last, the committee after long examination of all the papers connected with this project in

1825,

3/18. 1825, and 1827, resolved to inquire of Ephraim Marsh, who
Shepherd appeared before them; the most solicitous of any of the petitio-
New street. ners for the success of the plan; information on two points,
viz: for what price he would present to the City a street
thirty feet wide from Common to Pleasant street, as proposed,
and also, for what price he would present to the City a street
fifteen feet wide from Common to Warren street; That the in-
formation obtained satisfies the committee; That it is not ex-
pedient for the City to open said street, at its own expense;
and that obstacles exist, as in obtaining the acquiescence of
several proprietors and the United States among others, which
the parties most directly interested ought to remove; that the
land wanted for the street as prayed for will exceed ten thou-
sand square feet, and the persons who will receive the chief
benefit directly, ought to give, as in most former cases of open-
ing streets, the greater part of the land, or the price of ob-
taining it; but as a powerful inducement to the persons most
interested, the committee recommend the adoption of the fol-
lowing resolutions. All which is submitted, Jas Savage, Chairman.

The resolutions being amended in the common council
were passed as follows viz: Resolved, That the City
will pay to the person, who shall within two years pre-
sent to the City a street in good order for having to be
accepted by the surveyors of highways, forty feet wide from
Pleasant street to Warren street, according to the plan of S.
P. Fuller in 1825, except as to width, the sum of two
thousand dollars. — Resolved, That the City will

pay

pay to the person who shall within two years present to 3/10.
the City a street in good order for paving, to be accepted
by the Surveyors of highways, forty feet wide from Warren
street to Common street, according to the plan of A. P. Fuller
in 1825, excepting as to the width the sum of two thousand
dollars.

Came up for Concurrence.

Read & concurred.

Ordered, that from and after the Bromfield
passing this order, the Passage or highway leading from the street.
Common street to Washington street, and heretofore called &
known by the name of Bromfield Lane, shall be called
and known by the name of Bromfield street.

Petition of John Simmons, Valentine Simmons
Simmons, Eben F. Gay, and Eli Feazie, stating, that they Gay, & Feazie
are the purchasers of three lots of land on Merchants Row, and Merchants Row
Inn street, recently sold by the City, and that it appears, Inn street.
that by some error in the survey, there is a deficiency of
four inches on the street, running back the same width to
the back line, sixty feet, making a deficiency of twenty square
feet, and they pray remuneration for the same. Read and
committed to the Mayor, Aldermen Savage & Pickering
to consider and report.

Ordered, that the City guards, have permission City guards.
to cut a window thro' the roof of Faneuil Hall, for the purpose of lighting
their armory.

Brummett Hagger & Richborn

On three several requisitions from the Judge of Probate of the County of Suffolk, requiring that inquisition be made upon John Brummett, Labourer, Mehitable Hagger, widow, and Joanna Richborn, Singlewoman, all of Boston, and represented to said Judge as being persons non compos mentis, and incapable of taking care of themselves. Read and thereupon ordered, That the above named Brummett, Hagger & Richborn, be notified to appear before this board, on monday next, four o'clock, P. M. and shew cause, if any they have, why they should not be declared non compos mentis, in order that Guardians be appointed to them according to law.

Mills, Jenkins & Bird's Union Street.

Petition of George Mills, Eliza H. Jenkins, Sarah Jenkins, Oliver W. Bird and Mary Eliza his wife, in her right praying, that they may be remunerated for land taken by the surveyors of highways, to widen Union street. Read and committed to Alderman Armstrong, to consider and report.

Lt Bl. Dragoons Armory

Petition of Company of Light Dragoons for an armory in Faneuil Hall. Read committed to Aldermen Loring, Kendall and Alphans, to consider & report.

Friend, Portland & Merrimac Streets.

Ordered, That the Superintendent of streets cause the common sewer in Friend street to be united with the common sewer in Portland street, and carried thro' Merrimac street.

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday the seventeenth day of November, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Tuttle, Upham and Armstrong.

Ordered, that the Mayor, Aldermen Kendall and Armstrong, with such as the Common Council may join, be a committee to consider and report whether any and what Compensation ought to be fixed for the services of the Chief Engineer of the fire department; and that the said committee consider ~~and~~ whether any alteration or modification be expedient, of the duties now incumbent on said Chief Engineer; and that they have leave to report by ordinance or otherwise. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Gray, E. Williams, Parker and Belknap. Ch. Eng. fire department.

Ordered, that notice be given to the Boston Mill Corporation, that they forthwith cause Haverhill street to be raised to the level established by the survey heretofore made by Stephen P. Fuller, Esq. and that the several abuttors on said street be notified forthwith, to set their edge stones and fill up all the space between the land of their respective lots, on said street, and edge stones fit to be paved with brick, according to the width and height established by this board. Haverhill street.

Homer

The committee to whom was referred the petition of Eleazer Homer, to be remunerated for damage done to his pond of water at South Boston by the hogs belonging to the House of Industry some years since; report, that they have looked into the premises and do not discover any present inconvenience arising from the use of the same, as therein stated; but in case the City have made any use of the pond for their swine; they recommend it be cleaned out under the superintendence and direction of the keeper of the House of Industry; provided in so doing it shall not injure the claim of the petitioner. James Hall, per order.

Read and accepted, & ordered accordingly.

Richborn

It appearing to this board, that notice has been given to Joanna Richborn, agreeably to the order passed at the last meeting thereof, the said Joanna does not appear - and after examining a witness under oath, the board are of opinion, that said Joanna Richborn is a person non compos mentis, and incapable of taking care of herself, and that the same be certified to the Judge of Probate accordingly, in order that a Guardian be appointed according to law.

Dagger

It appearing to this board, that notice has been given to Mehitable Dagger, agreeably to the order passed at the last meeting thereof, the said Dagger does not appear, and after examining a witness under oath,

H.

the board are of opinion, that said Mehitable Dagger, is a person non compos mentis, and incapable of taking care of herself, and that the same be certified to the Judge of ~~Probate~~ Probate accordingly, in order that a Guardian be appointed according to law.

Mayors message Deer Island.

Gentlemen of the City Council:

William Bellamy, tenant of the City on Deer Island, having had all his property attached for debt, and having neglected to fulfil his covenants with the City in respect of rent; the board of Aldermen deemed it their duty to enter and take possession of the Island for his breach of covenant, in conformity with rights reserved to the City in their lease to him. During his lease Mr. Bellamy having built a house upon the Island and made other improvements is desirous to make some settlement with the City on those subjects. The agent for the United States, who is now engaged in building a breakwater for the protection of the Island is willing to hire it during the time the said work is in progress. Such is the state of the interests of the City in relation to that Island, arising from the circumstances above detailed, that an early decision of the City Council is requisite both as it respects the fixed property on the Island, belonging to Bellamy, as also as it relates to leasing the Island to the United States. I recommend that a committee be appointed with full authority to make a final settlement with Bellamy, and to

lease

lease the Island to Thomas B. Smith, Esq. the agent of the United States, subject to the ultimate acceptance or rejection of the City Council. Josiah Quincy.

Read and thereupon ordered, that the Mayor, Alderman Loring, and Upham with such as the Common Council may join, be a committee with authority to make the settlement and lease as above suggested, subject to the ultimate acceptance or rejection of the City Council. Sent down for concurrence. Came up concurred, & the Common Council joined on its part, Messrs. Lowell, Eveleth, Thomas Gould, and Cornell.

Washington Light Infy. Co.

Petition of the Washington Light Infantry Company, for a new armory in Faneuil Hall. Read and committed to Alderman Loring, Kendall and Upham to consider and report.

Freeman Derne Street.

Benjamin Freeman gives notice, that he is about building on Derne street, and requests, that the line and elevation of said street may be determined. Read and committed to Aldermen Loring and Upham; with instructions to employ Mr. Fuller, the Surveyor to settle the same.

Engine No. 17.

Petition of Engine company No. 17, praying that a new engine house may be erected for that at South Boston. Read & committed to the committee on the fire department, to consider and report.

Petition of Benjamin Parker, 355.

praying that some repairs may be made to Broadway, with Parker
Borton, between the side walk, and the centre of the street. Broadway.
Read and thereupon ordered, That the necessary repairs be
made under the direction of the Superintendent of Streets.

Petition of the Overseers of House of Correction.
the House of Correction, praying for an appropriation in
order to furnish a thanksgiving dinner for the inmates of
said house. Read and thereupon ordered, That the master
of said house be authorized to furnish the usual dinner.

It appearing to this board, that Brunnell.
notice has been given, to John Brunnell, agreeably to the
order passed at the last meeting thereof. And now the
said John appears, and after hearing divers credible wit-
nesses under oath, and the arguments of Council on both
sides, thereon. It is ordered, That the same be continued
to the next meeting of this board for the purpose of
giving judgment thereon.

Adjourned to Monday, next four o'clock P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday the twenty fourth day of November, Anno Domini, 1828.

Present.

The Mayor. Aldermen Loring, Savage, Kendall, Wall, Upham and Armstrong.

Perkins

Petition of Thomas H. Perkins, & others, praying for the use of the Central Hall, over the new Market, for the use of the "Seaman's Friend Society, of the City of Boston" for the religious instruction of Seamen. Read and committed in Common Council to Messrs. Shaw, Oliver and Pitkin, with such as the board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred, and Aldermen Loring, Wall, and Upham are joined.

Wright Dame

Petition of William Wright & Graham J. Dame, proposing to contract with the City, for the erecting of a wing from the southerly side of their wharf near the northerly end of the Boston free bridge, and in a proper direction towards the draw, in order to facilitate the passage of vessels through the same. Read & committed in Common Council to Messrs. Walcott, Means, and Pray, with such as the board of Aldermen might join, to consider & report. Came up for concurrence. Read and concurred and Aldermen Loring and Upham are joined.

Petition of John Nelson, praying that he may be relieved from the payment of his taxes, for the three last years, as he is unable to pay the same, except by the sale of a small tenement which he owns in Ward No. 2, being all his property; that he has a large family to support, among which is one child deaf and dumb. Read and committed to Alderman Savage and Kendall, with such as the Common Council may join, to consider and report. Sent down for concurrence. 357. Nelson

Nonconcurred in Common Council.

Communication from the Directors of the House of Industry stating, that between the sixteenth day of September, and the seventeenth day of November instant, the door of one of the tombs belonging to that institution had been forced open and several bodies taken therefrom by some person or persons unknown: Read and thereupon resolved, that a reward of one hundred dollars be offered, for the detection and conviction of any person or persons concerned in thus violating the sanctuary of the dead, and that the Mayor, Alderman Kendall and Armstrong, be a committee to consider and report what measures shall be adopted in relation to the same and the future security of the remains of the dead. H. of Industry - dead. Reward offered

Ordered, that Alderman Loring be appointed on the committee on the petition of Daniel Messenger & others, instead of Alderman Fennelly deceased. Messenger.

Williams

The committee to whom was referred the petition of Robert Williams, and others, praying, that the street next to, and north of Washington Place; extending from Oliver street to Hamilton street, may be paved; ask leave to report, that said street is in a very bad condition, and that the same ought to be paved without delay; provided the appropriation for paving Streets will warrant the expenditure; and provided also, that the probable approach of severe cost does not appear a sufficient ~~objection~~ objection to the commencement of the work. Your committee further report, that in their opinion, the street aforesaid, is the property of the City, as will appear by reference to a clause in a deed executed by the Selectmen of the town of Boston to John Welles, Esq. dated August 5th. 1805.

The committee further recommend, that a name be given to said street. Respectfully submitted by order of the committee.

Thos. Kendall.

Read and accepted.

Baxter
Temple Street

The committee on the petition of John Baxter, for compensation for land taken to widen Temple street, report, that he be allowed one dollar the square foot, for seventy six and a quarter superficial square feet, amounting to the sum of seventy six dollars and twenty five cents. Read and accepted.

Hanchil St

Ordered, that the Superintendent of Streets cause Hanchill to be gravelled.

Ordered, that warrants for ward meetings be issued to be held in the several wards, on Monday the eighth day of December next, at eleven o'clock A. M. for the choice of Mayor, Aldermen, members of the Common Council Assessors of the Poor, members of the School committee, and ward officers: and that the polls be kept open until three o'clock, P. M.

Warrants for Ward meetings.

Application of James Ash, to be licensed to exhibit for two or three weeks at No. 123. Ann street, a mechanical Panorama. Read and the prayer thereof granted, on paying therefor one dollar per week.

Ash Mechanical Pan:

Petition of Henry Overton, praying to be relieved from the charge of three dollars per week, in his license for the exhibition of the Panorama of the City of Mexico, as his expenditures have been more than the receipts. Read and committed to the Mayor, to consider and report.

Overton Mexico.

It is agreed between Josiah Quincy, Chairman of a committee of the Board of Aldermen: Memento authorized, and Hiram Harris and Edmund Munroe; as follows, viz: Quincy agrees that the Surveyors of highways shall set the buildings now erecting by said Harris and Munroe on South Allen and Bloom streets, back to the general line of said street, without liberty of putting more than one step on said wharf: And that said

Harris & Munroe South Allen st.

City

City will pay for the same whatever Joseph Coolidge, John D. Thorndike and David Greenough shall award as compensation for the land taken from said Harris and Munroe; and damages for removing their walls, and which they may sustain by reducing their lot. And the said Hiram Harris and Edmund Munroe agree, that they will submit to the said referees the value of said land & damages and receive the amount they shall award in full compensation therefor. Signed this 21 October 1828. —

Hiram Harris, Edm. Munroe, Josiah Quincy —

The subscribers, referees on the above agreement, award that the City of Boston pay to Messrs. Munroe & Harris, for the above mentioned lands, and in full of all demands, the sum of eight hundred dollars. Jos.h Coolidge
John D. Thorndike

The foregoing award read and accepted, and that the money be paid accordingly.

Washington Light Inf. Co. Armory.

The committee on the petition of the Washington Light Infantry, for the enlargement of their armory in Faneuil Hall, report, that the prayer of said petition be granted, provided the work be done under the direction of a committee of this board; provided the Company of New England guards shall consent to make a corresponding alteration so as to give a uniform appearance to the building. Read and accepted. Ordered, that the former committee be authorized to carry the same into effect.

Edward Coverly, Junior gives notice that the building at the corner of Portland and Sudbury Streets, which was damaged by fire, is now undergoing repairs - wherefore he prays, that the boundaries of said streets may be determined, in order that he may be enabled to set his building on the bounds of his lot. Read and committed to the Mayor, Aldermen Loring & Kendall, to consider and report.

Coverly
Portland Sudbury Streets.

Petition of Robert Barnes, praying for compensation for his services in taking care of the Well Steel Pump since the third day of August 1826. Read and committed to the Mayor and Alderman Loring to consider and report.

Barnes
Well Steel Pump

And now after hearing divers witnesses and the arguments of Counsel on both sides, the Board are of opinion, that John Brummett is not a person non compos mentis, and incapable of taking care of himself, and that the City Clerk certify the same to the Judge of Probate, accordingly.

Brummett

Report on the petition of Wm Parker, and others, praying that Washington Avenue be widened, was referred to the next board of Aldermen.

Parker
Washington Avenue

Adjourned to Monday next, four o'Clock P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday the first day of December, Anno Domini, 1828.

Present

The Mayor, Aldermen Loring, Savage, Kendall, Hall, Upham and Armstrong.

Foster Washington St.

Petition of Sarah Foster, praying indemnity for land and part of her dwelling house which stood upon the same, taken to widen Washington street at the corner of Bedford street. Read and committed to Aldermen Kendall and Pickering, to consider and report.

Boston brig. band.

Petition of the Boston brigade band, for a room in Faneuil Hall, to meet in, for the purpose of practising and depositing their musical instruments. Read and committed to Aldermen Loring, Kendall and Upham, to consider and report.

Light Dragoons armory.

The committee to whom was referred the application of the company of Light dragoons, for an armory in Faneuil Hall, report, that the room in said Hall about to be vacated by the City guards be transferred to said company of Dragoons; provided, they consent to accommodate the equipments of the two companies now in said room, and permit them to have free access thereto. John T. Loring, Chairman.

Read and accepted.

The committee of the City Council on the subject of leasing Deer Island, & finally settling with the former tenant William Bellamy, respectfully Report, in part; That they have authorized certain propositions to be made to William Bellamy, subject to the ultimate acceptance or rejection of the City Council; but not having yet had any satisfactory reply to those propositions, they are not prepared to make any report upon the subject. Your committee are, however, of opinion that the Island should be forthwith leased to the United States, in whose behalf Thomas B. Smith, as their agent has applied for the same, and is willing to take it on account of the United States, being thereunto authorized; on the same terms and conditions, on which William Bellamy hired the same; the terms of the lease not to extend beyond the season in which the works now erecting on the Island for its protection by the United States, shall be completed. Your committee therefore recommend that the Mayor be authorized to execute a lease on the above terms to the United States of the said Island. All which is submitted. By order of the Committee Josiah Quincy, Chairman.

Deer Island

Read and accepted, and thereupon ordered; that the committee heretofore appointed on the subject of Deer Island, be authorized to cause suitable leases to be prepared to their satisfaction of Deer Island, in conformity with the above report, and the Mayor be authorized to execute the same to the United States. Sent down for concurrence. Came up concurred.

Mossinger Ward No. 10.

The committee, to whom was referred the petition of Daniel Mossinger, and ninety four others, citizens of Ward No. 10, presented in the spring of 1825, to the City Council; have considered the same, and find, that all the complaint is, that they are subjected to great inconvenience for want of a permanent and known place of meeting for the transaction of "ward business" the cause of which the committee have ascertained by inquiry, was that the citizens of said ward had been warned to assemble the week preceding, at a public tavern, the sign of the "Lamb," in Washington street, and that, for even subsequent meeting of said citizens, the Mayor and Aldermen have caused the warrants to issue for their assembly at the Adams school house, where the business of the ward had also been transacted on all former occasions; The committee further find, that this same petition has been referred to joint committees in each of the years 1825, 1826 & 1827, & that the only indorsement on the papers, besides the official ones of the several commitments in each of these four years, is of the minutes of two different meetings by the committee in the second year, at the last of which a sub committee was chosen to consider and report a plan and estimate, and lay the same before the whole committee; with this further memorandum by the Chairman of the committee of the next year; "Report made in favour of petitioners, but the necessary appropriation refused by City Council"; But your committee are well satisfied, that the citizens of Ward No. 10, though they might well complain of being once called to assemble at a tavern

may

may very conveniently transact the ward business in the Adams school house; and that the same may be their permanent and known place of meeting, and that no other ward room need be erected; Wherefore they conclude by recommending that the committee be discharged from any further consideration of said petition. Which is respectfully submitted. Ch.s F. Loring. Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Ch. Eng. fire department resigns.

The Mayor communicated a letter from Samuel Dennis Harris, Esquire, resigning his office of Chief Engineer of the fire department on account of ill health.

Read and accepted.

Firemen Ward No 12.

Petition of firemen of Ward No. 12. for the use of the Watch room in the Franklin school house. Read and committed to Alderman Savage, Hall, & Cousens to consider and report.

Brown live animals

Application of Langley Brown, for a license to exhibit the following live animals at Crombie's Mansions tavern Cambridge street viz. Double Cow, or American Buffalo; double jointed Peruvian Pony, forty nine years old. Read and granted upon paying therefor one dollar per week.

Fireman Ward No 6.

Josiah B. Phinney, was nominated & appointed a fireman of Ward No. 6.

Wills
Union Street

The committee on the petition of Georger Wills, and others, praying indemnity for land taken to widen that part of Union street called Green Dragon Lane; reported that having heard the petitioners, recommend that they be heard before the whole board, at an early day. Read and thereupon ordered, that monday next, four o'clock, P. M. be assigned for that purpose.

Holbrook
Second Street

Daniel Holbrook gives notice, that he is about erecting a house on Second street, and prays that the line and level of said street may be given. Read and committed to Alderman Loring and Parkman to determine the same.

Oliver

Report of the committee on the petition of Francis J. Oliver for damage done to his house at afsie. Read and sent down.

Sea Street

Ordered, that Alderman Savage & Hall, be a committee to consider and report upon the subject of an alleged incroachment on Sea street, on the premises next south of Wm. Torrey's.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday the eighth day of December, Anno Domini, 1828.

Present

The Mayor — Aldermen Loring, Savage, Kendall, Hall, Aitkam and Armstrong.

Ordered, That Alderman Armstrong Jenkins
be authorized to settle with the heirs of Jenkins for their Union Street.
state taken in Union street near Green Dragon Lane,
for a sum not exceeding one dollar per square foot.

Order of the common council, com- Hoppers
mitting the petition of the Hoppers, for additional compen
sation to Messrs. Riegel, Williams, & Belknap; with such
as the board of Aldermen might join, to consider & report.
came up for concurrence. Read and concurred, & Alder
men Kendall and Hall are joined.

Petition of Samuel M. Babcock, Babcock
for compensation for the use of the Old Franklin School
house, on Common street, for the space of two months.
Read and committed to Aldermen Savage & Hall to con
sider and report.

The committee on the petition of Shaw
Robert G. Shaw, and others, to have Bridge street accepted, Bridge Street.
reported

reported, that in their opinion, it will not be expedient to accept said sheet, unless the proprietors will consent to extend the same to the southern line of the land belonging to the Massachusetts General Hospital.

Read and accepted.

Lelihorn's license revoked.

John H. J. Lelihorn, a licensed victualler being summoned to appear before this board, and show cause, if any he have, why his license should not be revoked, for a violation of the license law. And now the said Lelihorn appears, and it appearing to the board, that said Lelihorn has removed from the City, and that one Roger Sullivan, an alien carries on the business in the place which has been licensed to said Lelihorn. It is thereupon ordered, that said license granted to said Lelihorn be and hereby is revoked.

Mayor's message Ch: Eng: fire department.

Gentlemen of the City Council;

The resignation of Samuel Dennis Harris, Esquire, Chief Engineer of the fire department has this day been accepted by the board of Aldermen. It is now nearly three years, since his appointment to that office. During this period, an entire renovation has been effected of that department; the number of its members greatly increased, and a spirit of harmony, subordination and efficiency introduced into it, highly honorable to those who compose it, as well as to the City; and it is believed, universally satisfactory to our fellow

Mayor's message.

fellow citizens. In all the arrangements connected with those improvements, the zeal, intelligence & firmness of the Chief Engineer have been conspicuous and eminently contributed to their adoption and success. At the time of his appointment, the expectation was generally entertained that a salary would be annexed to that office; and the principles on which the new organization of that Department was advocated & adopted in both branches of the City Council, amounted to an assurance that an adequate compensation would be fixed for his services. He had, however, held the office but a short time, before he particularly requested me, not to bring the subject of his compensation before the City Council, assigning as a reason that having the command of a Department, consisting wholly of volunteers, he was of opinion that his influence and usefulness would be disadvantageously affected by his acceptance of a salary. The conduct of this officer in every thing relative to the discipline, order, arrangement and efficiency of the Department has been, so exemplary and disinterested that I deem it my duty to recommend the subject to the consideration of the City Council to the end that such an expression of their sense of his services may be made, as they may deem just and suitable. Josiah Quincy.

Read and committed in Common Council to Messrs. Oliver, Everett, Means & Shimmin with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read and concurred and Aldermen Loring & Hall are joined.

370.

Land in Maine

Ordered, That Aldermen Wigham & Armstrong, with such as the Common Council may join, be a committee to consider and report, upon the expediency of selling the township of land in the State of Maine: Sent down for concurrence. Came up concurred, & the Common Council joined on its part, Messrs E. Williams, Belknap and Otis.

Committees to report.

Order of the Common Council, directing the several committees to whom subjects have been referred and on which reports have not been made, and that they be instructed to report, on or before the fifteenth day of the current month. Came up for concurrence.

Read and concurred.

Boston Brigade band.

The committee on the petition of the Boston Brigade Band, for a room in Faneuil Hall, reported, that the same cannot be granted, the room vacated by the City guards has been transferred to the Light Dragoons, and there is no other room now unoccupied.

Read and accepted.

Walstat's license revoked

Ordered, That the vote of the Board granting a victualers license to William M. Walstat be reconsidered & his license revoked, the same being granted during the pendency of an indictment against him.

Adjourned to four o'clock, tomorrow afternoon.

At a meeting of the board of Aldermen of the City of Boston, on Tuesday, the ninth day of December, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Savage, Kendall, Hall, Upham and Armstrong.

The board proceeded to examine the returns from the several wards of the votes given in, yesterday, for Mayor of the City, and they found the whole number as returned from the several wards to be 4082.

Necessary for a choice. . . . 2042.

And no person having that number; there is no choice.

The board also proceeded to examine the returns from the several wards of the votes given in as aforesaid, for Aldermen, and they found the whole number, as returned from the several wards to be 3977

Necessary for a choice 1989

John T. Loring, Esquire,	had	3486
Hon. Thomas Kendall	"	3456
James Hall, Esquire	"	3533.
Samuel T. Armstrong, Esquire	"	3445
Henry J. Oliver, Esquire	"	3490
Hon. Benjamin Russell	"	3458
Winslow Lewis, Esquire	"	3502.
Hon. Charles Wells	"	3500.

And they are chosen Aldermen for the year ensuing.

Ordered,

3/12. Ordered, That the City Clerk cause the foregoing to be published in the newspapers, and that the several gentlemen elected be notified of their appointment.—

Warrants for Ward meetings. Ordered, That warrants be issued for a meeting of the Citizens in the several wards, on Monday next, eleven o'Clock, A. M. for the purpose of giving in their Ballots for one able and discreet person, being an Inhabitant of the City, to serve in the office of Mayor, for the year ensuing. And that there be inserted in the warrants an authority to fill all vacancies which may exist in their respective wards. Also, that the Poll be kept open until three o'clock, P. M.

Voters Notice to Ordered, That notice be published in the newspapers, that the new lists of voters are made out from the assessors books, according to the assessments made in May last, are now deposited in the Mayor & Aldermen's room. That voters be desired to take notice, that these being new lists, are liable, unavoidably, to errors. Altho' every practicable attention will be paid to make the list correct, within the power of the Board of Aldermen, yet it ought to be impressed on the minds of the voters, that personal inspection of the lists is the best, (perhaps the only certain) guaranty of perfect correctness in the case of each individual. The Board would also advertize their fellow citizens, that they are satisfied, that the changes on the lists of voters in all the wards, arising from deaths, removals, absences, coming of age, & other causes do not fall short of four thousand.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the Board of Aldermen of the City of Boston, on Monday, the fifteenth day of December, Anno Domini, 1828.

Present.

The Mayor, Aldermen Loring, Savage, Kendall, Tall, Parkman and Armstrong.

Ordered, That the Mayor be authorized to sign in behalf of the City an agreement to submit to the award and determination of Seman Lincoln and Charles Wells Esquires, the subject of the value of the land taken by the City to widen Hanover Street in front of the engine house No. 1, called Old North, which land belonged to Nathaniel Gill; Daniel P. Badger; David P. Badger; Enoch Badger; Ann J. Richardson; Emma A. Baker; Augustus A. Badger; Eliza A. M. Badger; Alfred E. Badger; Mary A. S. Badger and James W. Badger. Gill & Badger. Hanover St.

The committee to whom was referred the petition of Sarah Foster praying to be remunerated for land taken to widen Washington Street near Bedford Street, for other damages sustained by her as set forth in said petition, Report, that in their opinion there should be allowed and paid to said Sarah Foster, by the City, Six Hundred Thirty one dollars and thirty seven cents, in full compensation for the land so taken, and also in full for all other damages which the said Foster has or may have sustained, by reason of the alteration made by the City in and upon said Fosters estate. Foster Washington St.

The

374 The above sum is made up of the following items viz.- eight hundred & one third square feet of land at two dollars, one hundred sixty four dollars and sixty seven Cents- Damages allowed in consideration of diminishing the shop and other rooms four hundred sixteen dollars and seventy Cents; Cost of moving her goods Loss of business during the time of the alteration, making in the whole $631, 37. Respectfully submitted, by order W.m Kendall.

Read and accepted.

Rowe's wharf, landing place.

The committee on the subject of the City's right to a landing place on Rowe's wharf, respectfully report, that they caused a letter to be addressed to the City Solicitor requesting his opinion on the right of the City to the dock and slip in front of the street, leading from Battery March street, between land of the Proprietors of Rowe's & Foster's wharf; but owing to the complexity of the subject and the researches into ancient title, which became necessary, he has not been able to make a satisfactory report on the subject. Your committee recommend, that the subject be referred to the next City Council. By order Josiah Quincy, Ch.n

Read and accepted. Sent down for concurrence.

Came up concurred.

Land in Maine.

The committee to whom was referred the question of expediency of making sale of the township of land belonging to the City, in the State of Maine; have met in full committee and unanimously agreed to recommend to the

the City government the following resolve: Resolved, That Thomas F. Hill, Esquire, of Bangor, be requested to advertize for sale the township of land belonging to the City of Boston, and lying in the State of Maine, with instructions in case any proposal should be made to him for the purchase of the same, or any considerable part thereof, that he communicate such proposal to the Mayor of the City, that the City Council may take such order on the subject, as they may judge expedient. Read & Sent. Wm. Ulham, Chairman. Read & accepted, & the resolve passed. Sent down for concurrence. Came up concurred.

The committee of the City Council on the subject of the regulation of Baths, to whom was referred the petition of Benjamin Banners. Report, That having caused the several Bathshouses in the City to be examined by a sub committee; they find that there is no reason to object to any of them, in respect of their safety, and that no general regulation seems requisite. With the exception of the baths on Cambridge bridge. These baths appeared to be made on a principle which might deceive persons who were not able to swim, when the tide was at a particular height. On conversing with the proprietors of those baths they represented them as having been long frequented; their construction as very popular with persons fond of bathing, and that they did not apprehend that the accident which happened to Mr. Banners's son could be attributed to the construction

Banners
Baths

of

3/6. of the baths. Under the general circumstances of the baths of the City, your committee were of opinion that no general regulations was requisite, which it was within the power of the City authorities to make: All which is submitted by order of the Com.ee Josiah Quincy, Chairm.n

Read and accepted. Sent down for concurrence.

Came up Concurred.

Municipal Elections.

The committee of the City Council, who were directed to consider the expediency of passing an ordinance regulating all municipal elections, have duly attended to the subject, and after holding several meetings, have agreed to report, that it is not expedient to pass any such ordinance, because such ordinance cannot enlarge or restrain the laws of the Commonwealth already in force: Which is respectfully submitted, Jas. Savage, for the Com.ee

Read and accepted. Sent down for concurrence.

Came up Concurred.

Malls & Common fence

The committee of the City Council on the subject of a more permanent and efficient fence about the Malls & Common Respectfully report, that they caused a plan, elevation and estimates to be made of an iron fence with a stone basement, which will be found among the papers accompanying this report marked A. The whole expense of which was estimated by a sub committee whose report is also among the papers marked B, to amount to

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the sum of ten thousand, three hundred, thirty five dollars and sixty one cents. It having been the opinion of the committee that no measures ought to be recommended to the City Council on the subject, unless at least, one half of the estimated cost should be subscribed by the owners of estates opposite the Common; and an attempt to obtain a subscription to that amount having failed; the committee have not deemed it expedient to take any measures on the subject. By order of the com.e Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Administration of Justice.

The committee on the subject of alterations and amendments to the act regulating the administration of justice within the County of Suffolk respectfully, report, that having had several meetings on the subject of their aforesaid, they have not deemed it expedient to suggest any alterations or amendments. Which is submitted by order of the committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Wheelwright Ward No. 9.

The committee to whom was referred the petition of Samuel Wheelwright, and others, Inhabitants of Ward No. 9. for leave to use the room in the basement story of the Boylston School house; for a ward room, respectfully, report, that they have examined the room referred to

in

3/8. in the petition and find, that it is well calculated for the purpose for which it is wanted, and may be assigned for the transaction of the business of the ward, without interfering with the school. They therefore recommend, that the prayer of the petitioners be granted, and that the sum of two hundred dollars be appropriated for fitting the same, for the accommodation of that ward. Per order of the Com.ee John T. Loring.

Read and accepted. Sent down for concurrence.

Came up concurred.

Overton Mexico

The committee on the petition of Henry Overton, praying, that the board of Aldermen would reconsider their vote granting him a license to exhibit the Panorama of the City of Mexico, and that he may have a license free of expense: report, that he has examined the books of said Overton, & has no doubt the facts are, as the petitioner has set forth in his petition: Read and accepted, and the board thereupon reconsider their former vote, and grant him a license without pay.

Eliot St. drain.

The committee on the subject of the Eliot street common sewer, report, that they have caused a temporary pipe to be given to the abuttors on the drain, and recommend, that the subject be referred to the next board of Aldermen.

Which report being read is accepted, and the subject referred accordingly.

The committee of the district
reports that they have caused the street near the post office
to be named, and that said street be known and called
by the name of Hawes street. Read and accepted.

Hawes Street.

Ordered, That the demand of the City against the owners of the Schooner Boston Packet, for damage done by said vessel to the Boston free bridge be referred to the City Solicitor to inquire into the subject and collect the same if deemed by him expedient.

Boston Packet &c.

The Mayor on behalf of the committee to whom was referred the petition of Benjamin Goddard, for leave to sink a reservoir in Washington street, reports, that the petitioner has altered his determination and changed his mind on the subject, and it has not been deemed necessary to call the committee. Read & sent down.

Goddard Washington St.

Petition of Elisha Parks, for liberty to build arches under the side walks in Kilby street in front of his store. Read and committed to Aldermen Kendall & Pickering, to consider and report.

Parks Kilby St.

Adjourned to four o'clock tomorrow afternoon.

At a meeting of the board of Aldermen of the City of Boston, on Tuesday the sixteenth day of December, Anno Domini, 1828.

Present—

The Mayor, Aldermen Loring, Savage, Aikham & Armstrong.

Mayor votes for

The board proceeded to examine the returns from the several wards of the votes given in yesterday, for Mayor of the City, and they found the whole number to be 3233.

Necessary for a choice 2697.

And no one person having that number, there is no choice.

Warrants for Ward meetings.

Ordered, That warrants be issued for a meeting of the Citizens in the several wards, on Monday next, twelve o'clock M. for the purpose of giving in their ballots for one able and discreet person being an Inhabitant of the City, to serve in the office of Mayor, for the year ensuing. And that there be inserted in the warrants an authority to fill any vacancies which may exist in the respective wards. Also, that the polls be kept open until three o'clock P. M.

Sea Street side walk

Ordered, That the committee appointed to take charge of, & to complete the free bridge to South Boston, be instructed to consider & report as soon as may be, on the expediency of continuing the side walk on the westerly side of Sea Street, from the present termination thereof to the bridge aforesaid. Came up for concurrence.

Read & concurred

Resolved, that the Assessors be requested to prepare a list of persons, copartnerships, & corporations, who were taxed twenty five dollars and upwards in the City of Boston, in the year 1828, specifying the amount of the tax of each, on personal and real estate, severally, and cause three hundred copies to be printed for the use of the members of the City Council, and that the City Clerk be and he is hereby directed to deliver one copy of the same to each of the officers of the City government. Came up for concurrence, Read and non concurred, there being a standing order with respect the City Council, as the 31st day of December, 1827. Assessors.

The committee of the City Council, on the subject of Deer Island, and who were authorized to settle with William Bellamy, the former tenant, subject to the ultimate acceptance or rejection of the City Council, as specified more fully, That after an interview with Mr. Bellamy they found that he had erected buildings on said Island & made repairs and improvements, in contemplation of holding the Island according to his lease, for ten years, amounting & according to his statement to nearly two thousand dollars, but which according to an estimate made by an impartial person, as appointed by the committee could not be considered worth, at the highest estimate, more than fourteen hundred & fifty. The Executors of Bellamy having deprived him of all means of making good his contract with the City, and his lease being vacated by his failure to pay the rent, and his Deer Island. Bellamy.

ejection

Peer Island
Bellamy

ejection by the City: the question your committee had to consider was, what under the circumstances the City ought reasonably to do, so as not to add to the distresses of an individual already embarrassed, and yet without doing any injustice to the City. Your committee found that the agent of the United States was willing to allow for the use of one of the buildings erected by Bellamy, in addition to the rent of the Island, which he had agreed, as recently authorized by the City Council, the sum of four hundred dollars. Your committee find that Bellamy owed the City two hundred dollars, for rent. To this sum they agreed to recommend the City Council to add two hundred dollars payable out of the City Treasury and to offer Bellamy eight hundred dollars, payable as above mentioned. Your committee in this proposition were actuated by the following principle, that the value of the buildings erected and the improvements made by Bellamy would not be worth to the City probably more than four hundred dollars after the lease made to the United States shall have expired; and that it was important for the accommodation of workmen and for the expediting and facilitating the great operations now carrying on it, for the protection of the inner harbour that all questions arising under Bellamy's lease should be amicably and finally settled. William Bellamy having acceded in writing to the foregoing propositions it remains only for the City Council, if they see fit, to sanction the agreement for which purpose the subjoined order is submitted, by order

of

of the committee. Josiah Quincy, Chairman.

Ordered, That the Mayor & Aldermen be and they are hereby authorized, on receiving from William Bellamy a satisfactory conveyance of all the buildings erected by him on Rice Island, and also a release of all right under the lease heretofore made to him of that Island, together with a receipt in full of all demands, for work done, or manure left on the Island to discharge the said Bellamy of and from said lease; as also of the rent he now owes the City; and to pay him an additional sum of two hundred dollars, out of the appropriation for the repair of the public buildings, and that they be authorized to receive of Thomas B. Smith, Esq. Agent of the United States, the sum of four hundred dollars for the use of said buildings, which said Bellamy erected, & pay the same over to said Bellamy on his executing to their satisfaction said release and conveyance.

Read and acceded in Common Council. Came up for concurrence. Read and concurred, and ordered, That the Mayor be and he is hereby authorized to carry the same into effect.

Petition of Benjamin Rich, and others, for a new street to run South from Foster's wharf, be referred to the next board of Aldermen. Rich. New street.

Adjourned to Monday next, four o'clock, P. M.

At a meeting of the board of Aldermen of the City of Boston, on Monday the twenty second day of December, Anno Domini, 1828.

Present:

The Mayor - Aldermen Loring, Savage, Kendall, Hall, Pickering, Upham and Armstrong;

McLean street

Resolved, that the street heretofore called and known by the name of South Allen street, be accepted and recorded as a public street and highway, according to the dotted lines on a plan made by S. P. Fuller, Esquire, dated 5th December, 1828. as follows viz: Beginning at the easterly corner of Luther Ellis's house on Chamber street, & running northwesterly about two hundred and fifteen feet; thence running a little more northerly about one hundred and seventy four feet to land of Luther Ellis, and thence by the north easterly line of said Ellis's land one hundred and thirteen feet six inches to Blossom street; thence bounding on Blossom street westerly until it intersects the line of the front of the houses now building by Hiram Harris; thence running south easterly about sixty four feet more or less, till it comes to land of George Odin; thence southwesterly in the direction of the boundary line of said Odin's land about seven feet; thence in a straight line southeasterly to a point on Chamber street, thirty feet nine inches from said corner of said Ellis's house; then bounding by Chamber street; thirty feet nine inches to the place of beginning. And that the said street be hereafter known

known and called by the name of McLean street and recorded as such accordingly.

On the application of the Mercantile Wharf corporation, stating that the Marginal street, sixty five feet wide, running northeasterly from North Market street, is now completed agreeably to the contract made between said corporation and the City and praying that the same may be viewed and accepted by the City, and that said street may hereafter be called Commercial street. Mer. Wh. Co. Commercial St.

Whereupon the Board having viewed said street together with A. D. Fuller the Surveyor and Enoch Patterson Superintendent of streets and said Surveyor having certified that said street is filled up to the height fixed upon by the Surveyors of highways. Resolved, That said street be accepted and recorded as a public street and highway of the City, and that the same be hereafter known & called Commercial street.

The committee who have had under consideration the subject of Nancy Thompson's claim for land taken from her estate to widen Washington street, report that in their opinion there ought to be allowed & paid out of the City Treasury to said Nancy Thompson, one thousand and twenty dollars, in full compensation for the land taken as aforesaid, and also in full for all the damages she may have sustained in consequence of said widening & improvement. Read and accepted. Thompson Washington St.

386.

Petition of Benjamin Adams,

Adams
Doane Street.

praying that Doane street may be widened, by taking a part of an old store belonging to Elisha Parks, on the corner of said street and Kilby street, for that purpose.

Read and committed to Aldermen Kendall and Pickering, to consider and report.

Parks
Kilby Street.

The committee on the petition of Elisha Parks, for leave to construct arches under the side walk in front of his store at the corner of Doane & Kilby streets — Report, that it is expedient to grant the prayer of the petition, on the usual conditions, so it respects Kilby street, but not allowed on Doane street.

Read and accepted.

Babcock

The committee to whom was referred the application of Samuel H. Babcock, for rent of the old Franklin School house, report, that they find; that a fair rent of the premises would have been at the rate of four hundred dollars a year, and that the sum of sixty six dollars and sixty seven cents be allowed and paid for the use and occupation of said building, for the period it was used, in consequence of the repairs making at the Boylston School house, and that said sum be charged to the appropriation for repairs, fuel and other contingent expenses of Schools.

James Savage, for the committee.

Read and accepted.

The committee appointed upon the petition of George Hills, Eliza H. Jenkins, and others, Report, that an interview has been had with Mr. Hills & Mr. Morse the attorney in the case and the views of the board, as to the price higher to be offered Mr. Hills than one dollar per square foot, for the land which has been taken to widen Union street, were communicated to both the persons above named which Mr. Hills declined to accept. The committee request to be discharged from any further consideration of the matter. Read and accepted, and ordered accordingly. Hills & Jenkins Union street.

The committee on the application of David Holbrook report, that the lines of Second street from Brighton street to the bend are as follows beginning at the northerly corner of the house on the southerly side of Second street and easterly side of Brighton street, and running by a straight line to the easterly corner of the house at the corner of Second street on the westerly side thereof; and that the northeasterly line is distant eighteen feet therefrom; and that the edge stones be placed opposite to the southerly corner of the house of David Putnam, even with the bottom of the water table thereof, and from thence to descend to the present level of the edge stones on Brighton street. Holbrook Second street.

Read and accepted.

The Mayor at his own request was discharged from the Com.ee on the Gaol &c. & Alderman Loring appointed in his stead. Gaol com.ee.

Preston

Petition of Remember Preston, to be relieved from the payment of certain taxes on his poll & personal estate, which he declares to be illegally assessed upon him, he being an Inhabitant of Medford and not of this City. Read and committed to Aldermen Hall and Armstrong, to consider and report.

Wallach

Petition of Moses Wallach, for an abatement of his tax the present year. Read and committed to Aldermen Loring and Hall, with such as the Common Council may join, to consider and report. Sent down for concurrence. Came up concurred, and the Common Council joined on its part, Messrs Gray, Paine & Adams.

Francis.

Petition of Ebenezer Francis, for the abatement of the tax assessed upon his personal estate the last year, the same having been illegally assessed as he alleges. Read and committed to the committee who have under consideration the petition of Moses Wallach, to consider and report.

Sent down for concurrence.

Came up concurred.

Assessors

The committee to whom was referred the application of the assessors for additional compensation for their services the current year, have taken that subject into consideration and respectfully report, That they are aware, that the present incumbents have performed the duties

of

of their office with laudable diligence, care, and accuracy, and that those duties are in their nature laborious & attended with much responsibility. The salary voted to each person for the present year, your committee find on enquiry, is as high as has ever been paid to those officers under the City or town government, and it is presumed the additional labour consequent on the growth of the City was intended to be provided for; by an increase in the sum allowed for Clerk hire; which is larger than heretofore: On reference to the auditors accounts your committee find the sums paid for this service in three former years have been as follows viz the financial year 1824/5. one hundred & ninety four dollars. 1825/6 Three hundred forty six dollars & twenty two cents. 1826/7 one hundred and twenty four dollars, making for those three years six hundred sixty four dollars & twenty five cents, forming an average result of two hundred twenty one dollars and forty two cents per annum. This period excludes the year in which five persons were chosen, when no charge of Clerk hire was paid: For the current year the sum of five hundred dollars was voted and appropriated for this charge, being more than double the average of the three years before named, and sufficient in the opinion of your committee to form a considerable alleviation in the labour of the office, while its responsibility is shared by the whole board of assistant assessors. Your committee consider that although the duties of the petitioners are arduous, and their execution of them entirely acceptable, that those of other City officers are not

less

300. &c &c, and should the salary voted at the commencement of the year be now increased, applications from others for a like increase would naturally follow, and be with difficulty rejected. For these reasons your committee respectfully state, that they cannot recommend a compliance with the request of the petitioners; and that they have leave to withdraw their petition. James Hall; per order of Com.

Read and accepted. Sent down for concurrence.

Came up concurred.

Neck lands final report.

The committee on Neck lands, respectfully report, that the expenditure on account of said lands during the last year, has been as follows, viz:- Ditching &c. Three hundred seventy four dollars & sixty eight cents, For work on the trees twelve dollars and ninety cents; & For timber for fences, eleven dollars and forty two cents. making in the whole three hundred and ninety nine dollars. The amount appropriated for this purpose was five hundred dollars, leaving in the Treasury an unexpended balance of one hundred and one dollars. Your committee have received during the year for pasturage of cows, rents of lands, for grass sold, &c. the sum of four hundred & sixty two dollars. Which amount has been regularly paid over to the City auditor. There are also outstanding claims amounting to fifty five dollars which will probably be collected hereafter. There having been no offer for lands on the Neck which the committee deemed adequate, they have not thought it advisable to offer

any

any in the market. Considering the difficulties which arise in making sales of the City's Lands, from the mode of conducting the business, through Committees which are annually changing, your Committee recommend that this authority should be vested in a Board of Commissioners, and that this subject and the manner in which such Board should be constituted, and the principles by which it shall be regulated, be referred to the early consideration of the next City Council.

Respectfully submitted. Josiah Quincy, Chairman

Read and accepted. Sent down for concurrence.

Came up Concurred.

Fire department

The Committee to whom was referred the message of the Mayor in relation to the resignation and services of the Chief Engineer, respectfully submit, for the adoption of the City Council, the following report,—

Whereas the City Council hold in high estimation, the services rendered this City by Samuel Dennis Harris, Esq. late Chief Engineer of the fire department and are convinced, that the general spirit of harmony, & subordination & diligence which characterizes that department and renders it highly honorable to those who conduct it and useful to the City, is to be attributed, in a great degree to the intelligence, the zeal, & active exertions of its late Chief. It is therefore Ordered, that the thanks of the City Council, be and they are hereby presented to Samuel Dennis Harris, Esquire, for the faithful, arduous, and highly useful services, gratuitously rendered by

him

him to the City, in order three years, in the offices of Chief Engineer of the fire department. By order of the Committee

John V. Loring.

"Read and accepted, and the order passed by a unanimous vote." Sent down for concurrence.

Came up concurred, by a unanimous vote.

Ward No. 9. Voting lists.

The committee of the City Council, on the memorial of the Wardens and inspectors of Ward No. 9, complaining of the imperfection of the voting lists, respectfully Report, That considering the importance of the subject, and being desirous that the nature and causes of the obstacles to obtaining correct voting lists should be well understood, before attempting any change in the principles by which the enjoyment of the elective franchise is, at present, regulated; they have postponed any report until the new lists, taken under a knowledge of the previously existing complaints, should be tested by a strongly controverted election. The last election was of this character; and your committee have the pleasure to state that, at no previous election has the satisfaction with the voting lists been more general; and although in some of the wards errors have occurred, they have been found to be of a character unavoidable by those who have the charge of making those lists; a few instances of mistakes by the assessors, or by the printers, only excepted. These mistakes also, considering that these lists contain nearly twelve thousand names, and are necessarily taken and corrected under many disadvantages as to the obtaining ac-

Curate

accuracy may well be considered, - inevitable. In order that the nature of this subject should be better understood and the difficulties of making correct voting lists more generally appreciated by the City Council, and our fellow citizens, I am at present, your committee deem it proper to enter more minutely into the causes of the errors which have come to their knowledge, and into the mode of approximating to still further correctness; - taking it for granted, from the nature of the subject, that absolutely perfect lists are necessarily unattainable. Errors in the voting lists, may be arranged under two heads. 1. Those for which the persons whose duty it is to make out the lists, are responsible. 2. Those for which they are not responsible. In the first class are, 1. Omitting to place the name of any inhabitant of a ward upon the tax books; whence it results that he is not taxed and of course that his name does not appear on the voting lists. This error, when it affects old inhabitants of the City, and long residents in a ward, is the cause of bitter crimination of the assessors as guilty either of intentional omission, or culpable negligence; when, perhaps, nine times in ten, it is neither the one or the other; frequently when blame or no responsibility could be attached to them. Thus, in cases of such complaints, it has been found on examination that, at the hour when the assessors called, the house was accidentally shut up, and nobody at home, or the family did not give the name of the head of it, or gave it wrong; & other causes, of a like general character. Boarders, and young men, not heads of families, are peculiarly liable to be thus

omitted

30/1. omitted; since the insertion of their names must depend upon
Voting Lists. the replies of the inmates of the house, to the inquiries of the
assessors. If the former answer wrong, or omit to give any name
altogether, the lists cannot be correct, and yet without blame
to the assessors. 2. 2d second error; for which persons taking
the lists are responsible; sometimes occurs, in neglecting to
transfer members of firms, from the wards where they do
business, to the wards where they reside. When this happens
it is generally owing to the mistake of the assessors, but
sometimes, to the misinformation given to the assessors at the
store, or place of business, of the ward in which the partners
reside. 3. Erasing a name from the tax books by accident,
and thus of consequence from the voting lists. There is but
one instance known of an error of this kind. 4. Errors
in printing the voting lists. Errors are as likely to occur
in printing the voting lists as in printing any other work;
and they are more difficult of detection, by the persons cor-
recting the proof sheets; since in case of any obscurity in
the Chirography, as it respects any name, correctness cannot
be obtained by any care; there being no connection of sense,
whereby the intention of the writer can be ascertained.
The above are all the errors, for which the persons making
out the lists are responsible; so far as experience has dis-
covered to this committee. 2do But it ought to be re-
membered, that the greatest number of errors in the voting
lists arise from causes for which the persons making those
lists are not, and cannot be, responsible. Those are

1. Ignorance of the voter himself of the ward in which he is taxed; or in which he resides. 2. Removal, after the first of May; and not taking care to have his name placed on the list of the ward to which he has removed. 3. Absence from the City in May, and subsequent return, without considering that such absence may probably have prevented his being taxed, and also his name from being inserted on the voting list. 4. Persons having their names transferred from one ward to another by the officiousness of friends; who have mistaken their names, or the ward to which they ought to be transferred. 5. Not having paid a tax for the preceding year, nor not that assessed for the current year, to which the voting list relates; of consequence the name of such person has no right to be on the voting list. 6. Impracticability to obtain the Christian names of the person taxed; in which case his name is not usually inserted on the voting list. 7. Aliens taxed; but not naturalized, ~~[illegible]~~ and so not entitled to vote. 8. Aliens naturalized; but whose naturalization has never been made known to the assessors. 9. Persons who have come of age in the year, and ~~[illegible]~~ between the first of May, or the going round of the assessors. 10. Persons living in boarding houses or young persons and heads of families, whose names are not given to the assessors by the families in which they reside. 11. Names of tenants, or of taxable inmates, received by verbal information from domestics, and given wrong, either by being misspelt, or misnamed, or by omitting the intermediate when a person has more than one

Voting lists

Christian

306. Christian names. From the preceding recapitulation it appears
Voting lists how many more are the sources of error, for which the persons
taking the voting lists are not, and cannot be made, respon-
sible; than those, for which they are and ought to be res-
ponsible. Experience, it is believed, shows that, at least, four
out of five of the errors, which occur, are of the first des-
cription; and for which the persons taking the lists cannot
be subjects of blame. Upon the preceding statement your
committee observe that, as it respects that numerous & great
class of errors for which the persons taking the voting lists
are not responsible, there is no practicable remedy, except
personal inspection of the voting lists previous to the day of
election, by persons coming within any of the cases mentioned.
With respect to the class of errors for which the persons taking
the lists are responsible, your committee remark that omissions
to insert names by positive mistake of the persons, in making
the first entries on the tax books, or in transfering names from
the wards where they do business to the wards in which
they are found, must be expected from those accidents, to
which the best men are liable, particularly when acting
on a subject and under circumstances, in which mistakes
may naturally occur. On this relation, however, it may
be useful to state some facts, which will tend to throw
light upon a subject of not a little complexity, and which if
understood by voters, would tend to guard them against the
consequences of mistakes in the voting lists. It ought to be re-
membered then by the citizens, that new voting lists are made

out

Voting lists

out every year; and from the tax books of the assessors; that these tax books have reference to the state of residence on the first of May; and that a voter, not found in any ward in May, by the assessors will not be taxed, and will not be upon the voting list of that year. In ignorance of this fact is one of the principal causes of discontent, especially among old inhabitants of the City. Men shun the taxes and seek the polls. If they receive no tax bill, they make no complaint about the matter. But if they do not find their names on the voting lists, they are indignant & clamorous against the assessors; - forgetting that no man has a right to expect to find his name on the new list, made out in the autumn of every year, unless he has received a tax bill, in that year. If he has not received a tax bill, he has no evidence that he has been taxed; and if not taxed; his name will not be on such New list, unless he sees to putting it there himself. There is a mistake perpetually made by the inhabitants particularly by old inhabitants, of the City, in supposing that because their names were upon the list of the preceding year; they must be on the new lists; that is upon those of the present year. But it ought to be remembered, that the only foundation of the voting lists in any year; is the tax books of that year. No safe use can be made of the lists of the former year, to correct those of the present; & if such use could be made, the attempt would in a manner be impracticable. - This is owing to the great difference which arises every year; in the voting lists, by changes of residence, deaths,

coming

Voting lists

coming of age, & the like general causes. The great difference between the lists of any former, and that of the present year, is not realized. It may be useful, therefore, to state that, changes as it may appear, it probable, amounts to a difference of more than one half of all the names on the voting lists. By way of illustration, we state, that Ward No 1, is probably as stationary, as it respects its inhabitants, as any ward in the city; yet in that ward, there were, in round numbers, last year, six hundred voters; and the present year there are on the new lists seven hundred. It appears, however, on examination, that in that ward only four hundred names are on the new list, which were not on the old. Whence it follows that two hundred names were on the old, which are not on the new lists, and yet three hundred names are on the new lists which are not on the old; making, in a ward containing, this year, only seven hundred voters, a difference between the one and the other list, of five hundred names!! This fact is sufficient to show how utterly impracticable it would be, to attempt to use the lists of a former year for the purpose of correcting those of the present. Without scoping this topic of errors and their causes farther into detail, it will be sufficient generally to state, that in making out lists, which include twelve thousand names, taken under circumstances, as above indicated, of great disadvantage, as it respects accuracy, it is impossible that many errors must not occur. It follows, therefore, that it is the incumbent duty of every voter, at the time, when the new

lists

lists are offered for inspection, to ascertain for himself whether his name is borne upon them. It is also the duty of those charged with making out the voting lists to reduce the chances of errors, and facilitate the voters in their inspection; and so in correcting errors as much as possible. For this purpose your committee suggest that a more systematic and timely getting out of the voting lists should be attended to. To this end, it ought to be enjoined upon the assessors, to note the names of the residents in each ward with reference to the voting lists, as well as to taxation. That as soon as any ward tax list is completed, a person should be employed, if the assessors can not do it themselves, to make out the voting lists, without waiting for the tax lists of the other wards; - that is, - that the voting lists and the tax lists should proceed contemporaneously, so that they may be got out as soon as the other. By this proceeding it is thought that the new lists might be prepared by the first of September and submitted to the Mayor & Aldermen for revision. During the months of September and October of every year, they might be corrected and printed. On the first of November copies then printed should be distributed and suspended, in every ward, to facilitate the inspection of the voters, and enable them to apply personally to the Mayor and Aldermen for the correction of any error.

Voting lists.

From the satisfactory state of the voting lists of this year, compared with any former, it is believed that, with these precautions, as much correctness would be obtained as, from the nature of the subject matter, is practicable. The new lists would be

400.

Voting lists.

be annually ready for the December municipal election, by which being tested and corrected, they would be finally established for the ensuing year. As to the suggestion made in the memorial of Ward 9, "whether it might not be expedient to invest the wardens and inspectors with the power to insert names on the voting lists," your committee remark that the investment of such powers in these officers, is not consistent with the existing statute laws of the Commonwealth; - and were such course attempted, they are of opinion that it would be one calculated to introduce errors into the voting lists - confusion at the polls, - charges of corruption, and favouritism, against the inspectors. The great security for accuracy in the voting lists, and for the exclusion of all but rightful voters, is, this restriction of the powers of the warden and inspectors, to one single simple duty; that is - to the admitting all to vote whose names are borne upon the list and to the excluding all others. Once admit wardens and inspectors to put names on the voting lists, and every inducement, and even necessity of making the lists accurate, previously to the day of election, is taken away. Men it is urged, should be allowed to vote on producing their tax bills; - but what is to prevent the same tax bill from being presented by the same individual, in more than one ward, at the same election? For the right to vote is often in a ward different from that specified in the tax bill. Besides, the questions arising relative to this right are often very complex, depending upon

the

the length of residence; - the payment of taxes, here or elsewhere; - by himself, or by others for him. When made before the Mayor & Aldermen, often with great clamour and some at night, they are often also ascertained to be of a dubious character, and sometimes wholly unfounded. If made in the heat of a contested election, and in the midst of inexperienced electors, they would give rise to much excitement, and to charges of favouritism. The inspection of such a power by the wardens and inspectors would also cause the selection of these officers to be always made with reference to their party spirit; rather than to their general character, the inspectors are frequently changed; - in some wards every year. The mistakes, however, made by them amidst the occasional confusion of the election, notwithstanding the exceeding simplicity and similarity of their present duties, sufficiently indicate, that no greater power ought to be intrusted to them. Thus in some of the wards votes found their names checked off by inspectors either by mistake, or by unconsciously admitting a man to vote by an assumed name. At every election, several votes have been turned from the polls and denied the right to vote, on the ground that their names were not borne on the voting lists; when in fact, it was on examination found, that at the very time, their names were borne on the list of the ward, from which they were thus rejected; being overlooked by the inspectors in the haste & hurry of the election. Instances of this kind happen more or less at every election. But they are often very numerous, in

Cases

Voting lists.

cases of elections which are warmly contested. Thus, at the election in the fifteenth instant, there were more cases of rejection from the polls from this cause, than from all the other causes taken together; there having occurred from this cause alone more than thirty instances of rejection of persons whose names were on the list. The irritation of citizens thus sent away from the polls, has been excessive. Many of them have inquired whether the inspectors were not subject to an action for damages; and could hardly be persuaded that it was the result of mere mistake. Notwithstanding your committee do entire justice to the good intentions and fidelity of the wardens and inspectors, yet they apprehend that the above faults are sufficient to satisfy every considerate mind that their present duties should not be augmented. The name of no person can now be placed on the voting list, except by the authority of the Mayor and Aldermen; and no person can lose his vote, unless he has been so indifferent to the exercise of his right, as to neglect the inspection of the voting list once in each year. It is surely better that the citizen, who will not take so small a trouble for so great a privilege, should lose his vote, than that a system should be adopted, which by establishing twelve distinct tribunals, in the City, should introduce controversies and party strife, leading to confusion, and to all the difficulties above stated, at the polls. Owing to the many defects in the voting lists of former years, a practice has been authorized by the Mayor and Aldermen, whereby an original list being an exact copy of the

lists

Voting lists.

lists delivered to the inspectors has been kept in their office; and if, in the course of the voting, any person, entitled to vote satisfies the Mayor and Aldermen then sitting, that his name has been left off from the voting lists, his name is inserted on the list kept in the Mayor and Aldermen's office, and a certificate to that effect is given, signed by the Mayor, and directed to the inspectors, stating that such name has been inserted on the voting list, and requesting them to allow such person to vote, first placing his name on their list. This practice was adopted as a temporary expedient, made necessary from the complexity of the subject, and the many defects in the former lists; but not without doubts of its general propriety. The practice has however made the Mayor & Aldermen acquainted with the nature and causes of the errors in the voting lists, and led to such a course as seems to have produced an approximation to correctness in the lists, as great as perhaps, considering the nature of the subject, is practicable. Your committee have the pleasure to state that, not more than four errors in the lists, which it was possible for the appellants to have prevented, have been detected during the election which has taken place this day. This is a degree of correctness, which will render the practice above alluded to, less necessary, hereafter, if indeed it be not, of consequence, possible and expedient to abandon it altogether. Your committee have made this development, for the purpose of communicating information, the result of several years experience and observation, on a subject of great interest.

They

104. They recommend that such publicity be given to this report, as its nature seems to require; and as the wisdom of the City Council may deem expedient. All which is submitted. By order of the committee. Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

In the Common Council ordered it printed, and referred to the next City Council.

Charles street lands.

The committee of the City Council, on the subject of the improvements necessary on the City lands west of Charles street, respectfully report, that they have caused a profile plan marked A. of the lands above mentioned; as also generally a plan of all the lands owned by the City west of Charles and Pleasant streets marked B. which are submitted. Your committee also appointed a sub committee of which David Moody, Esq. was chairman to report a plan and to make the necessary estimates. This report and estimate are contained in a report marked B. which your committee ask leave to submit as part of this report marked C, and to recommend, that the whole subject be referred to the next City Council.

All which is submitted, by order of the committee.

Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

Appropriations

The auditor reported to unexpended balances of the several appropriations. Read & Sent down

The board proceeded to examine the returns of votes from the several wards this day, given in for Mayor of the City, and they found the whole number to be 1546 — Mayor elected.

Necesary for a choice 2274

The Hon: Harrison Gray Otis, had 2978

and he is duly elected Mayor of the City for the year ensuing.

Ordered, that the City Clerk cause the foregoing to be published in the newspapers and that he notify the Mayor elect of his appointment.

Ordered, that Aldermen Loring Derne and Wilkins be a committee to consider and report upon the petition of a small wooden house which is alleged to have been removed upon the land belonging to the City, near Derne Street, upon the side of the Bowdoin school house. — Derne Street.

The joint committee appointed to consider and report what compensation shall be allowed to the Superintendent of the Boston free bridge made a report, which was read and sent down. — Boston free bridge Superintendent

Adjourned to Monday next, four o'clock P. M.

At a meeting of the board of Aldermen of the City of Boston, on monday, the twenty ninth day of December, Anno Domini, 1828.

Present

The Mayor — Aldermen Loring, Savage, Kendall, Hall, Pickering, Upham and Armstrong.

Boston Mill Co. Bond street drain

The committee on the subject of the claim now pending in law against the Boston Mill Corporation on account of the common sewer laid in Pond street.

Report, That the old drain formerly laid by the Boston Mill Corporation from its intersection with Pond street to the dock is four hundred and eighty one feet; that such was the state of it, its intire taking up and relaying was necessary. That the cost could not have been less than two dollars the foot for such a drain as the City has laid in Pond street; but your committee are of opinion, that a drain which would have cost nine shillings the foot was as good as the City would probably have claimed; they are therefore of opinion, that if the said Corporation pay the sum of seven hundred and twenty one dollars and fifty cents, and costs of Court, that the action now pending against said Corporation be discontinued; and that the same be in full of all claim on account of the common sewer laid in Pond street.

Josiah Quincy, Chairman.

The foregoing report, read and accepted, and referred to the auditor of accounts to see it executed.

The joint committee appointed by the order of the City Council, passed November 3d. 1828, to consider and report, what compensation shall be allowed to the Superintendent of the Boston free bridge, have attended to the duty assigned them, and ask leave to report, That after a careful and diligent consideration of the subject, your committee are of opinion that it is not possible to afford such facility to vessels in shaping the draw of said bridge as ought reasonably to be expected by all persons concerned, but by the constant attendance of two persons at least for the purposes of raising the draw &c. and that it will be expedient for the City Council, to grant such a salary to the superintendent of said bridge, as will enable him to employ, at his own expense, such an assistant as he may deem expedient;- your committee would further state, as their unanimous opinion, that the interest of the City will be promoted; by the erection of a shop suitable for the use of a carpenter, on the same pier which the City have recently erected a house and westerly of said house, which in estimation will cost one hundred and sixty dollars. your committee further report, that in their opinion the Superintendent of said Bridge should be allowed and paid, for the faithful discharge of his duty, in that capacity, at the rate of four hundred dollars, per annum, in full compensation for his services and also for his assistant or assistants. That he should be charged as rent for the house provided for him, by the City at the rate of fifty dollars, per annum, & should the City erect the shop as above recommended, then

Boston free bridge Superintendent's Salary.

the

Boston free bridge Superintendent

he shall pay therefor, at the rate of fifteen dollars a year; in addition to the fifty dollars for the house, your committee have reported two resolves for the consideration of the City Council. All which is respectfully submitted, by order of the Committee. Wm. Kendall, Chairman.

Resolved, That there be allowed and paid, to the Superintendent of the Boston free bridge, at the rate of, four hundred dollars per annum, in full compensation for his services in that capacity, and also in full for such assistant or assistants as he may employ, to be paid to him quarterly, and that said Superintendent be charged at the rate of fifty dollars a year for the use and improvement of the house provided for him by the City, until the further order of the City Council.

Resolved, That the committee who have in charge the subject of furnishing the Boston free bridge, be and they are hereby instructed, to cause to be erected, forthwith, on the westerly pier of said bridge, a suitable building to be used as a carpenter's shop, or for any other purpose which the City Council may hereafter direct; provided however, that the whole cost of such building shall not exceed one hundred and sixty dollars, and in case the said Superintendent shall improve said building, he shall be charged therefor, at the rate of fifteen dollars per annum, until the further order of the City Council. Read and accepted, in the Common Council. & the resolves passed. Came up for concurrence.

Read and concurred.

The committee appointed upon the application of Remember Preston, for a remission of his tax, in the City of Boston, the current year, have taken the same into consideration and respectfully report, That with the view of ascertaining whether any mistake had been made; they applied to the assessors to know on what ground they proceeded in assessing the tax in question: The assessors replied, that the original note of which the following is a copy, is now in their office. "Boston, Gooch street, May, 1828. Samuel Norwood, Henry Bass and Willard Phillips, Esquires. You will please to be informed that I am a boarder at my son Mr. Edward D. Clark, and you are requested to assess me this year a light tax for personal estate. Trusting in your prudence and moderation, it is my wish in future to have a light personal tax to this City. with great respect, Remember Preston." The committee find, that Mr. Preston has very recently paid to the town of Medford a tax some where about one hundred dollars less than that due the City of Boston. But, as they believe by his own showing, that it was Mr. Preston's intention in the month of May, to be taxed in Boston and being of opinion that the tax is there legally, and justly assessed; they must recommend, that it be not abated.

James Hall, for the committee.

Read and accepted.

Register of deeds. Indexes.

The committee, who were directed to consider and report on a memorial of the Register of deeds,

410. 11 August last, praying that the indices to some of the old
Reg. deeds volumes of records in his office may be copied, have diligently
Indices. attended to the subject, and from enquiry of several of the most
judicious and careful lawyers they find, that the old indices
are many of them incomplete and also deceptive, containing
many false names of grantors and omitting many true names,
by the error in a great measure of the writers of them in using
the names of attorneys for those of principals, so that a chasm
exists for many years past in ascertaining titles to estates, and
the committee further find, that in the prosecution of the
work of making abstracts and indexes as recommended by a
report accepted in this board, 12 November, 1824, on a repre-
sentation of the Register of deeds, and also on the petition of
William Minot, Esquire, under an order of the board 26 April
preceding, the errors are detected and corrected, and that the work
has proceeded under the care and supervision of Nathaniel G.
Snelling, to the extent of preparing completed abstracts of the first
sixty volumes of our records of deeds, which will serve instead
of the originals in all cases of titles in this City; and also
that indexes to the same volumes are nearly completed; have
satisfied that the same will be a very useful work and do
recommend that the same be continued until the further
order of the board of Aldermen, and they subjoin an explana-
tion of the new indexes, which are much superior to the for-
mer ones, in plan as well as accuracy. First, separate al-
phabetical indexes to each volume, both of grantors & grantees
as usual. Second, each index divided on the same page

into

into two parts one for deeds in Boston another for deeds out of Boston, by which distinction great error will arise in hunting out titles, because more than half of the first hundred volumes may be occupied with deeds of land, out of Boston. Other facilities of reference are adopted in the indexes already completed, which have been exhibited to us. Which is submitted, In behalf of the committee. Josiah Quincy, Chairman

Read and accepted.

The committee to whom was referred, the memorial of Benjamin Adams, to have Doane street widened, according to the wishes of the City as expressed in their resolve of September 1. 1825. by taking part of an old store at the corner of Kilby and Doane streets, which is now undergoing very extensive repairs. Reported, a statement of facts. Which being read, a motion was made and seconded, that the prayer of said memorialist be granted, & that said street be widened accordingly. Elisha Parks files a remonstrance against the same, signed by himself and others, which being read, he said Parks moves that the whole subject be postponed to the next board of Aldermen, in order to give him time to be heard. Whereupon the board demanded of him, that if such postponement be had, he said Parks should agree to suspend all further proceedings in the repairs of his store, until a decision should be had, and said Parks accordingly declared his assent to the same. Whereupon the subject was referred to the next board of Aldermen.

Adams

Doane street.

412.

Deer Island

The committee authorized to lease Deer Island to the United States respectfully report, that it being found, that the agent of the United States objected to that part of the lease to William Bellamy by which he was bound to leave a specified quantity of manure on the Island, stating, that his object was not to exhaust it, for agricultural profit, but merely to use it for the accommodation of the workmen and cattle, which would probably amount to forty or fifty head of working oxen, mentioned in a season, and that he was willing to agree to bind the United States, that no manure of any kind should be carried from the Island during its tenancy, your committee authorized the Mayor to modify the terms of the lease, according to the above suggestions of the Agent of the United States, deeming that all minor considerations should yield to ensuring the progress of the great works now going on at that Island, under the auspices of the national government, which have been done, and leases shaped accordingly. All which is respectfully submitted. By order of the Com.ee Josiah Quincy, Chairman

Read and accepted. Sent down for concurrence.

Came up concurred.

Bellamy

The committee authorized to settle with William Bellamy, for his lease of Deer Island, and his claim for buildings erected, manure left, and services done on said Island. Respectfully report, that they have attended to that service, obtained his release of said lease & conveyance of

of all the buildings erected and receipt in full for all services 413.
done by him and have received four hundred dollars of the
Loan of the United States, have paid the same over to the
said William Bellamy, and also the sum of two hundred dol-
lars out of the City treasury and released him from the rent
due conformable to the authority given by the order of the
Common Council of the sixteenth of December instant, and they
report this subject to be made arranged. A Bill which is
submitted. By order of the Committee of Finance, &c.
Read and accepted. Sent down for concurrence.
Came up concurred.

Whereas the Selectmen of the town Bond sheet.
of Boston, at a meeting holden on the twenty sixth day of May,
1812, as appears by their records of that date, did lay out
a street across the Mill Pond as follows, The north and west
line to begin on Charles river bridge; near the first bank west,
from a point in the direction with the northwestern Cabrill of
the wharf belonging to the proprietors of said bridge; thence
along said Cabrill and in the same direction, seventeen rods
from the westerly end thereof; then turning and continuing in
a right line to a point five feet west of the most easterly cor-
ner of the mill house, and through the same mill house to
the pond; thence making a bend more westerly across the pond
to the easterly corner of the Gallows on the Mill Creek, through
the same to the west side of the towns Passage way leading to
Middle street. The north and the east line to begin at the
Hole.

Pond Street.

hill house on Charles river bridge, thence to run fifty feet to a shop belonging to the proprietors of said bridge to a point thence fifty feet distant from the north line; thence turning & running in a right line forty five feet distant from the first described line until it comes to the pond; then to widen on the easterly side to sixty feet across the pond; the line then to turn westerly along the shore of the pond to a point thirty five feet distant from the corner of the factory; thence southerly through land of Jeremiah Bullfinch and John Howe to a point in said Howes westerly line to Middle street." And whereas the street called Pond street was subsequently made and occupied; at its northern part, from the pond to Charles river in a direction different from that specified in the above laying out and it is desirable that the said lines of the land so occupied shall be established as nearly as possible as the lines of said street. Therefore resolved, that the convenience of the inhabitants of the City requires that the said northerly part of said Pond street shall be so altered as to conform to the following lines viz: Beginning at the southerly corner of the wooden building at the corner of Mill lane or North Margin street and Pond street and running northwesterly by a straight line one hundred and twenty one feet and eight inches more or less to the northwesterly corner of the brick house on Lafayette avenue; thence continuing northwesterly by another straight line one hundred fifty seven feet six inches to a point one hundred four feet eight inches distant from Prince street; thence continuing northwesterly by another straight line one hundred & thirty one

feet

feet to a point one hundred and five feet distant from Prince Street; thence by a circular line drawn by a radius of twenty feet from a point at right angles from the last described line twenty feet; thence northeasterly by a straight line to a point on Prince street, that one foot eight inches distant from the northerly corner of the brick [illegible] houses belonging to Capt Samuel Parker, measuring in continuation of the front line of said houses; thence northwesterly by Prince street fifty five feet to the abutment of Charles river bridge; thence southwesterly by said abutment and the line thereof continued forty six feet; thence southeasterly forty three feet to a point on the division line between land of the heirs of said [illegible] and Bowdoin Square; which point is distant southwesterly fifty eight feet from the fifth described line; thence northeasterly parallel with the fifth described line and fifty eight feet distant therefrom to intersect the northerly line of Causeway street; thence northwesterly on said northerly line of Causeway street to a point one hundred and fifty feet distant from said point on Prince street; thence southwesterly by a line parallel with the third described line and fifty five feet distant therefrom one hundred and eighty one feet to a point one hundred forty nine feet eight inches from Prince street; thence continuing southwesterly parallel with the second described line and fifty five feet distant therefrom one hundred and fifty seven feet; thence returning southeasterly again parallel with the first described line and fifty five feet distant from

Bond Street.

from

from said Pond street Southerly of the building belonging to Jabez Lewis Esq. formerly occupied as a Mill house; according to a plan drawn by S. Sewall, dated December 22d. 1828. And it is further resolved, that all the land of Pond street, as laid out on the twenty sixth day of May, 1806, not contained within the foregoing lines be and hereby is discontinued as public street. And also all that part of Pond street not contained within the foregoing lines, derived to the Town of Boston for the exclusive purpose of public highways, by deed of release from Jacob P. Russ, bearing date June 15th, recorded in Suffolk Registry Lib. 2d. fol. 224, be and hereby is discontinued; and in consideration of the lines said Russ comes into the land or the purchase of public highways, as is contained in the foregoing lines, the said deed of release so far as it conveys land not contained within the foregoing lines shall be considered cancelled, and of no further effect; and the land therein conveyed not contained within the foregoing lines, shall revert to & become the estate of said Jacob P. Russ, & his heirs as much as if said deed had never been executed; but said deed shall be good and effectual for all other lands.

Munroe's Claim

The committee on the application of Jamin Munroe for additional compensation for the winding and regulating the Old South, and West Boston Canals Reported, that on referring to the committee of a former board who made the contract with Mr. Munroe, they find, that a misunderstanding exists in respect to the salary for winding

and regulating the clocks and that an additional sum of ten dollars ought to be allowed and paid him; but no further allowance is due for extra work. 117.

Read and accepted.

The committee on the application of Stephen Bigelow, Junior report that there has been taken from the land of the wife of said Bigelow to widen Bromfield Street one hundred and twenty four & one half square feet, which they estimate to be worth two dollars and fifty cents the foot making for the whole number of feet taken the sum of three hundred and eleven dollars and twenty five cents, which they recommend to be paid to said Bigelow in full of all claims on the City for the land so taken. Bigelow — Bromfield Street.

John F. Loring, Jr. for order.

Read and accepted.

The committee of the City Council to whom was referred the petition of R. S. Evans and others, watchmen of the eastern district of the City, Report, that in their opinion it is important that in every branch of the City arrangement there should be a uniform and general rule established, and whereas the said petition is from the Watchmen of one district only the committee ask to be discharged from the further consideration of said petition and the same be referred to the next City Council. R. Kimball Chn.

Read and accepted. Sent down for concurrence

Came up concurred. Evans — Watchmen

Putnam taxes.

The committee on the petition of Mrs Putnam & others praying, that an alteration may be made in the mode of assessing taxes now paid, that this subject with all the documents accompanying be referred to the next City Council. Per order of Committee Josiah Dunn, Chairman

Read and accepted. Sent down for concurrence.

Came up concurred.

Taylor's petition Ann street.

The committee on the communication of Charles Taylor in relation to a drain carried through the head of the wharf of said Taylor, at the bottom of North Ann street, report, that it is not known that the City has any claim to the right of drainage through said Taylor's land and his claim to an acknowledgment is reasonable.

Read and accepted.

Public Lands Sales.

The committee of the City Council who were authorized to make sale of certain pieces of public land, respectfully report, That under the authority specified they have sold the following pieces, viz: 1. Land & flats lying on the north side of South Bridge street. 2. Four lots, bounding northerly on Ann street, & lying northward of the block of stores on North Market street. 3. One lot bounding on Ann street and on a new forty feet street laid out in the rear of said block of stores. 4. A lot of land on Common street, on which the old Franklin school house stood. The proceeds of which sales have been duly paid into

into

Public lands

into the auditors office conformable to the terms thereof & the deeds given. It is further ordered that the following lots or pieces of land remain to be sold; for such as may be disposed of without any known objection, whenever the wisdom of the City Council shall deem it expedient. 1. One lot of land bounding on the new 50 feet street, which has been laid out in the rear of the block of stores on North Market street, containing 10,450 square feet of land. 2. A lot of land on the north side of the Mill brook, being the residue of land purchased by the Faneuil Hall committee of William Eustis, and John D. Howard, divided by the proposed new 50 feet street into two lots. One containing 5263 square feet and the other 5263 square feet. 3. A lot of land on Hanover street, in the rear and adjoining the London Coal house; over which the heirs of Thomas Hancock have as is stated by Samuel Hubbard Esq. their attorney, a claim of footway, by donation of the, containing by estimation 6300 square feet. 4. Land on Thatcher street leased to Faneuil Hall for 41 dollars; containing 3735 square feet. 5. A lot of land on Merrimac street leased to Thomas Gould & marked A on the plan No 2 of Mill pond lands containing 5028 square feet. 6. A lot of land also in Merrimac street and South Margin street, occupied by John Greenwood and others, being what remains unsold of lot F, on plan No 2 above mentioned, containing by estimate 12000 square feet. 7. Another lot on said Merrimac street, and Lancaster street, occupied by Aaron Coller, marked G, on said plan & containing 3804 square feet.

190.

Public Lands

8. Another lot of land on Merrimac street, ~~leased to~~ Ebenezer Smith in the occupation of William Adams, marked E on said plan, containing 2664 square feet.

9. An entire lot of land on Merrimac street, leased to Ebenezer Smith marked on said plan C, containing 3032 square feet. 10. Part of a piece of land on Merrimac street, leased to said Smith, being what remains unsold of a lot marked B on said plan and containing by estimate 1800 square feet. 11. A small piece of land back of the Gun house on North Margin street & which it is estimated there may be sold, without interfering with said Gun house, about 1100 square feet. 12. An acre of land set off to the City in the agreement with the Boston Mill Corporation, on part of which, is the City Stables containing 43,560 square feet. 13. A lot of land on Eliot street, bought in 1825 for a watch house and Engine house, as the most suitable location for both, to be obtained in that vicinity, but which has not yet been built upon, containing 1850 square feet. 14. A piece of land situated west of Bowdoin street, and of the northerly part of Pleasant street and southerly of a line drawn parallel to the Mill dam, and 1350 feet distant therefrom. This piece of land contains 151,000 square feet of land after deducting streets; does not interfere with the Common; but has always been deemed proper to sell, as not lying within the range of the north & South lines of the Common extended. The above space being part of that great extent of land lying west of Charles street, obtained by quieting claims of the pro-

prietors

Public lands

proprietors of the late Hotcwalks, and amounting in the whole, the above piece included, as appears by a plan of J. P. Fuller, dated 1 December 1828, to more than twenty eight acres a half. 15. One hundred and twenty acres of land lying on both sides of the neck, after deducting the land necessary for Hotels Columbia Square and the burying ground; as appears by J. P. Fuller's statement dated 19 Dec. 1828. The same being equal to Five million two hundred thousand square feet of land; Marsh overflowed by water, amounting to thirty acres and a half not being included in the above estimate. From the above enumeration it appears that the City of Boston possesses lands of land capable of being sold in its own right nearly equal to five million and a half square feet of land; in exact amount according to the preceding specification 5,455,081. square feet, the above being marketable real estate and exclusive of upwards of one million feet of land lying west of Charles Street between the North and South lines of the common extended to the general and exclusive of its interest in lands owned in common with the town of Cambridge as constituting the County Farm. In addition to which there are the following small pieces of land known to your committee; and rights in real estate not escheated, or not susceptible of sale at present for the present; but which ought not to be lost sight of by those who have the control of City affairs. The land on Williams Street, now occupied as an engine house, which since the transfer of the Cataract engine to Water Street, may

be

Public lands

ers sold; one a few feet of which M^r Cromwell makes some claim. 2. A small lot of land and flats on the south side of South bridge street which lies in some question with the heirs of the late Deacon William Brown. 3. An oblong piece of land on Front and Bridge streets, resulting from the City's right to extend that part of Front street commonly called Rainsford lane, concerning which abutters make hostile claims. 4. Land in School street, with a small house thereon, formerly an engine house, now leased to Asa Richardson. 5. A piece of land back of the engine house and south of the school house on Union street, occupied by M^r Godkin, for many years, without having paid; it being in fact part of the school house lot. 6. A piece of land back of Odin and Bradford's stores on the Market, part of engine house lately sold. 7. Certain rights of the City to flats adjoining the wharf owned by the proprietors of Brimmer's "T" marked "encroachment," on plan of S. P. Fuller's of the City wharf and flats, dated 4th of October 1828. Also a right of dock 215 feet wide in common with the Mercantile wharf corporation, on which there is also an encroachment by the proprietors of the "T," by extending their wharf into said dock, and by an island wharf; and which dock said proprietors also obstruct by laying logs, without right, on the north side of said "T". 8. Right of the City to certain flats, lying in front of the street formerly called Lewis lane leading from Fort hill, over which it is said William Foster has projected a wharf. 9. Rights of the City

to

to a free passage way over the usual Ferry to South Boston, into which William Knight is said to have deposited stones on both sides of the Free Bridge to South Boston of the two last specifications, the former is now in a course of investigation by the City Solicitor and the latter is under the care of the Attorney for the Commonwealth for the County of Suffolk.

10. The City's right to land in front of estates owned by Thomas Wilson, Jesse & Josiah Pitts & Daniel Greenleaf on the north side of Faneuil Hall. 11. Slip of land on Fort hill, east of the Gun house. 12. Slip of land on Eppes Street 56 Feet in front of Patterman's land. This Street was purchased by the Selectmen with reference to widening the said Street; but the cutting through the Store of the said Patterman has been delayed by reason of the Owners interest in it, & the inadvertently came to the condition of that estate of making the exchange the Selectmen contemplated. 13. Flats lying in front of Freeland, Harvard and Bennet Streets.

All the plans of the above pieces of land are deposited in the Auditors office, and your committee recommend that the whole subject be referred to the next City Council. All which is submitted. By order of the Committee.

Josiah Quincy, Chairman.

Read and accepted. Sent down for concurrence.

Came up concurred.

The Standing committee for the reduction of the City debt, respectfully ask leave to submit

City debt

1854. City debt

to the City Council, a Report of their proceedings from the Commencement of the current financial year to the first of May last in the case of the annual municipal years.

The funds which have been placed at the credit of this committee on the first day of May last, as stated in their last report $ 1109, 04

Balance of money in the City Treasury, at the close of the last financial year 1617, 30

Amount rec.d on acc.t of the sale of several lots of land, on South Bridge street. 3152, 45

Amount rec.d on acc.t of the sale of several lots of land on Merchants' Row & Inn street 2238, 99

Amount rec.d of sundry persons, for a strip of land in a passage way near the old Franklin School house 373, 40

Amount of four notes paid in at the City Treasury 4775, 37

Amount of the annual appropriation granted by the City Council, for the reduction of the principal of the City debt 15.000. —

Amount of a note due the City, on the 1st. day of January ensuing, which will undoubtedly be paid into the City Treasury at that time 14.500. —

Making the whole amount of funds availed of by this Com.ee up to the close of the present municipal year $ 42, 766, 71

With these funds the committee have taken up, & cancelled, all that portion of the City debt which has fallen due since the first day of May last. On the first day of January, these payments will have been as follows viz.: —

Annual

Annual instalment of the five per cent. loan of 1823. . . . $5000. . 1825.

Annual instal. of the Everett Street prison loan @ five p. C.t int. 10000. City debt.

Of the Faneuil Hall Market stock at five per cent. int. 13300.

Of the Faneuil Hall Market stock at six per cent. int. 10000.

Making the whole amount of debt which will have been redeemed by the Comee from the 1st May 1828, to the 1st of January 1829, inclusive $ 38,300.

The whole amount of the funded debt of the City, on the first day of May last, as appears by the last annual statement was $ 949,350.

Amount redeemed by this Comee as above stated 38 300.

Leaving a balance of $ 910,850.

Since the 1st of May last, there has been borrowed, under an order of the City Council, on acct. of the construction of the wharf east of Faneuil Hall market at five per cent. interest the sum of 10,000.

From which, if there be deducted the balance of funds in the hands of this Comee & the amount of bonds & notes payable to the City 283,393.33

The balance remaining against the City, will be 637,256.67

The individuals who have composed the Committee since its establishment by the City Council cannot close their last report in this official capacity without expressing their decided approbation of the existing system for the reduction of the City debt; and their earnest desire that it may be steadily adhered to, in succeeding years. They do not entertain a doubt that the City possesses ample resources in its landed property, & its bonds and notes, for the entire liquidation of its debt. And,

in

in their opinion, these resources, if judiciously managed, may be seasonably counted for the redemption of the debt, so that the respective portions of it shall fall due. On the first day of the ensuing month of January, there will be a balance at the credit of this committee, applicable to the reduction of the City debt, amounting to $4256,77.

There will be, in the City Treasury, on that day, bonds & notes payable to the City, amply secured by mortgages, amounting to 279,326,56

Making a fund towards the payment of the City debt, of $ 283,583,33

By the report of the committee on the sale of public lands, which it is understood will be submitted to the City Council this day, it appears that (exclusive) of the land which is used for public purposes, (exclusive) also, of the land lying west of Charles Street, within the northerly and southerly lines of the Common extended, the City hospital landed property, to the extent of nine and a half millions of square feet. After deducting from the amount of the City debt, the amount of bonds and notes held by the City, it will be readily perceived, that the balance of the debt would be redeemed by the landed property, at a very small price per square foot. On the 1st of the year 1830, the sum of $104,100 of the City debt will fall due: and then will be a further amount of $51,300, which may be released at the pleasure of the City. So that the government of the next year, if they can command a sufficient amount of the property of the City, will have it in their power to reduce the debt, in a sum exceeding one

hundred

hundred and fifty thousand dollars. The bonds and notes owned by the City are on interest, and produce a regular income; while the landed property lies for the most part unimproved and unproductive. It is the latter, then, that portion of the government should be turned, as a source of revenue peculiarly applicable to the extinction of the City debt. This committee therefore, take leave to suggest the propriety on the part of this Council of recommending to the early attention of the next City Council the adoption of measures by which the lands owned by the City shall be brought into market and sold; with a view to provide funds for the payment of all that portion of the debt which is now due and within the next year. All which is respectfully submitted. Josiah Quincy, Mayor
John R. Bartlett, Chairman
John C. Gray, Chairman
Committee on the reduction of the City debt.

Read and accepted. Sent down for concurrence.
Came up concurred.

Robbins Primary School

The committee of the City Council to whom was referred the memorial of Chandler Robbins Jr in behalf of the primary school committee of district No 3, proposing to the City Council the expediency of raising another story on the Gun house in Fort hill, for the accommodation of the schools of said district, have attended to the duty assigned them, and leave to report, That the attention of the committee was first directed to the location of the two school rooms referred to in said

memorial,

1828. Memorial, and although both of them have been removed from
Petitions from Wards Each since the memorial was presented, one being
situated in Pinckney Ward and the other in Hamilton Ward,
yet this your committee are of opinion, that neither of
them are so convenient as is desirable; the former is partly
under ground, not well lighted, and not sufficiently ventilated,
and although the children had been out of the room about
an hour, yet the air was quite offensive. The chief objection
to the one in Hamilton Ward, is the circumstance, that it
is three or four stories above the ground floor. Therefore it is
the opinion of your committee, that more commodious rooms
ought to be provided for said schools. In considering the
expediency of purchasing or renting buildings, or the accommoda-
tion of primary schools the City authorities have hitherto deem-
ed it inexpedient to establish the precedent, and the objections to
such a course are so obvious, that the committee do not deem
it necessary to state them in this report, but should the City
Council see fit in this case to depart from the principle hereto-
fore acted upon; yet there are so many difficulties attending the
project of raising a story on the said Gun house (as proposed in
said memorial), that your committee are of opinion, that it
is inexpedient. The committee are not fully convinced, that the
~~walls~~ walls of said Gun house are so substantially built
as to bear the pressure of another story being placed thereon;
another objection to the building on said house is, that the
Artillery Company require, as a condition of their consent, to
have their house raised as promised; that the City should

give

give a obligation to said company; the condition of which 1820.
proved be, that in case the company should be disbanded, in
any case that the City should covenant to pay to the members
of said disbanded company, a certain reasonable consideration in
money, for their house; which proposition your committee con-
sider reasonable; it appears by a vote of the town of
Boston passed August 3d 1816, that the selectmen were author-
ized to cause a tax of $1000 on the poll and ratable estate,
below the Circus, for the use of the 3d Artillery company,
under the future order of the town. The above vote of the
town of Boston is, and is the opinion of your committee ought
to be the only terms, on which said company should hold
said Gun house. In accordance with the foregoing, your
committee recommend, that no further order be taken on said
memorial. All which is respectfully submitted. By order
of the committee. Th.s Kendall. Chairman.

(Read and accepted). Sent down for concurrence.
Came up concurred.

The committee of the City Council Gay
on the petition of Seth Gay, respectfully report; that the pe-
titioner is to have refunded $24.60 fine & costs
paid under a sentence of the Municipal Court, on the
ground that the proceedings in that Court were subsequently
quashed in the Supreme Court. It appears by the depo-
sitions of the City Solicitor herewith transmitted marked A
that for reasons therein stated, Mr. Gay has no legal right to

have

1830 have been duly paid, refunded, and that in his opinion he has no equitable or meritorious claim thereto: Your committee therefore are of opinion, that he have leave to withdraw his petition. By order of the Com.ee Josiah Quincy, Chr.

Read and accepted. Sent down for concurrence.

Referred to Common Council.

Jones

Pond st. In the petition of John C. Jones, Esq. in relation to the line of Pond street. Ordered, that the sum of two hundred dollars be paid to said Jones for the land taken into said street, belonging to him, and that his obligation to pay to the town of Boston, given some years since to pay ten dollars per annum, be delivered up to said Jones.

Barnes

Bell & Sumps. The committee on the petition of Robert Barnes to be allowed for his services as keeper of the well at Bell & Sumps since the third day of August 1826. — reported, that he be allowed seventy five dollars in full payable out of the contingent fund. Read & accepted.

Covely

Sudbury & Portland sts. The committee on the notice of Edward Covely, Junior, of his intention of building on Sudbury and Portland streets reported, that they have attended to the subject, and the petitioner agreed, that he would set back to a specified line and give the land to the City; the City to make a plank side walk. —

Read and accepted.

Ordered, that the City Clerk give notice to the President of the Common Council that the Board of Aldermen stands adjourned to Saturday next, ten o'clock A. M. then to meet in the Common Council room, at which time and place, it is expected that the Mayor will address the Board previous to his leaving the Chair, in order that any Gentlemen of the Common Council may attend if they see fit.

Notice of adjourn't to Pres. C. Council.

Adjourned to Saturday next, ten o'clock, A. M.

At a special meeting of the Board of Aldermen of the City of Boston, on Tuesday, the thirtieth day of December, Anno Domini, 1828.

Present—

The Mayor, Aldermen Loring, Savage, Kendall, Hall, Pickering, and Simmons.

Ordered, that the further sum of Three Thousand Dollars be added to the appropriation for the fire department, & that the said amount be withdrawn from the vacant land.

Appropriation Fire dep't.

Came up for concurrence.

Read & concurred.

Ordered; that the sum of two hundred dollars, be, & the same is hereby appropriated for the purpose of fitting up the basement story of the Boylston School house as a war room, & that the amount be charged to the appropriation for repairs of Public Buildings.

Boylston School house.

Came up for concurrence.

Read & concurred.

Adjourned.

At a special meeting of the Aldermen of the City of Boston on Friday the second day of January, Anno Domini, 1829.

Present—

The Mayor—Aldermen Loring, Savage, Kendall, Hall, Pickering and Armstrong.

Dorr. Petition of Joseph H. Dorr, and others, praying, that the inauguration of the Mayor, City Council elect may take place in Faneuil Hall, on Monday next, as a large portion of the citizens are desirous of witnessing that solemnity. Read and thereupon ordered, that Faneuil Hall be prepared for that purpose; and that the City Clerk give public notice thereof.

Mayor & Cl. &c. inauguration.

Adjourned to ten o'clock tomorrow morning.

At a meeting of the board of Aldermen of the City of Boston, on Saturday, the third day of January, Anno Domini, 1829.

Present—

The Mayor, Aldermen Loring, Savage, Kendall, Hall, Pickering and Armstrong.

Fireman W. 1. resigns. A communication was received from Minian C. Bellow, Esquire, resigning his place as fireman, for Ward No. 1. Read and accepted.

The Hon. Josiah Quincy, Mayor delivered an address to the board of Aldermen, in presence of many members of the Common Council and other Citizens on his retiring from office. After which the Aldermen retired to their room. — Mayor's address.

Ordered, That the Mayor be requested to furnish a copy of his address this day delivered, for the press, and that the whole board wait upon him for that purpose. Copy requested for y^e^ Press.

Ordered, That all matters and things not acted upon be referred to the next board of Aldermen.

The meeting was then adjourned, without day.

Attest,

Samuel Foster M^c^Cleary, City Clerk.

The foregoing is a true record of proceedings of the board of Aldermen; for the year 1828, viz^t^: from the seventh day of January 1828. to the third day of January, 1829. both inclusive.

Attest, S. F. M^c^Cleary, City Clerk.

A.

Aldermen time of meeting 4.
Jennelly deceased 293.
City Council attend his funeral 296.
Chairman pro tempore chosen 340
elected 371.
last adjournment, notice of, given to Pres. C. Council 431.
adjourned without day 433.
Accounts, board of, communication 4.
Committee on 12.
Allotments in streets, committee on 13.
Auctioneers removed 34.
appointed 46. 157. 167. 216. 217. 220. 223. 227. 234. 267. 270. 299. 302.
on renewal of their licenses 207.
Appropriations 36. 57. 85. 89. 90. 123. 283. 294. 329. 404. 431.
annual estimates, rule respecting 40.
Attorneys to prosecute suits for County 47
Allen Amos Jun. license revoked 54
John, petition 165. Report of committee 198
Auditor of accounts, annual exhibit 56. 57. 154.
land sold 70.
chosen 154.
Amory Jonathan, letter, com.ee on 60.
John, petition 122. Report of committee 125
Allston Washington, petition 93. 230. " " " 97
Armstrong Samuel T. " 144. 193. Drain to be opened 198
Ancient & Hon. Artillery 153.

Assessors, lists of persons taxed 44.
number & choice of 91. Report of committee 114.
Chosen 125.
salary, committee of conference on 130. Report of Com^ee 137
assistant chosen 135. 162. 169. 189. 200.
to make lists of voters 292.
petition 367. 388. Report of committee 381
Ann street 107. 120. 133. 159. 234. 260. 349.
Avery " 122. Report of committee 125
Assay masters chosen. 155.
Annable Samuel L. petition 215. 256.
Attorney General's information vs. City of Boston 258.
Atkinson Street 266. 268.
African School 298.
Atkins Silas petition 299. Report of committee 311
Armory for City guards 337.
Washington Light Infantry 360
Alger Cyrus, deed to City 344.
Ash James, petition 359.
Adams Benj^a " 386. Report of committee 411.

B.

Bray John, petition 5.
Blake Geo. " 7. Report of committee 55
Barton point association " 12. " " " 20. 47
Com^ee of conference 58. " " " 59
released in part 127.

Bromfield Lane and street 6. 213. 288. 417.
street, named 347.
Beach " 33. 60.
Bath " 47. 55
Brighton " 61. extended 127
Boylston " 64.
Blossom " 158. 201. 294.
Belknap " 190. 197.
Beacon " 194. 228. 257. 259. 265.
Bridge " 258. 367.
Broadway 335.
Bass Gec. petition 12. Report of committee 80.
Baldwin Aaron " 15.
Burial grounds & cemetries, committee on 16.
Superintendent's petition 56.
Chosen 155
Binney Amos's claim 17.
Bells on ringing in case of fire 25.
Boston fee bridge Com^e to superintend building 35
remonstrance against 186.
free bridge 193. 212. 236. 269
Joshua Burr, superintendent discharged 187. 193
Memorial 236. Report of Com^ee 238. 306 317.
abutment 308.
Superintendent 329.
Time assigned for choice of Chosen 329 343.
street to 328.
Com^e on compensation of superintendent 343
compensation 403 407.

Blackstock Wm. varioloid or small pox at his house 42. 43

Barnard James, petition 43. Report of committee 77

Bacon Jacob " 43. " " 73

Butler's Row, com.ee on discontinuing 44 " " 51

Bell Edw.d petition 62. " " " 73

Boylston market, request of directors 83

Boston Mill Corporation com.ee 96. 108. Report of committee 406

dividing line 101.

brigade band, petition 362. Report of committee 370

Packet Sch.r owner of, to be prosecuted 379.

Boylston School house 431.

Bickford Jos. B injured at fire 108. Report of committee 131.

Bicker John, J. petition 129.

Boards & lumber, com.ee on altering law respecting surveying 140

Report of committee 169.

surveyors appointed 155. 166. 201.

Boats & lighters, weigher " 156.

Concerning 201.

Badger Daniel's lease 153.

heirs' petition 257. order respecting 373

Babcock Abram's " 157.

Sam.l H. " 367. Report of committee 386.

Baptist Church (1st) " 164. 165. 173. 262. 231. 278.

Beal Sam.l " 180.

Bird Island trespasers 195.

Briggs Otis, petition 200. Report of committee 224

Brazer John mortgage to be discharged 210

Ballard John, petition 213.

Buffum Jonathan, petition 224. 278.
Binckley Sarah " 231. Report of committee 325
Bryant Alice " 231. " " " 325
Bellamy Wm " 234. 338. 353. " " " 381.
to be ejected from Deer Island 322
settlement with 412.
Bailey Mathew, Spendthrift 261.
Barry Wm petition 269.
Baths public com^ee on regulating 275. Report of com^ee 375.
Boyd John P. petition 284.
Bigelow Alpheus, Jr. " 288. Report of com^ee 417.
Board alley 313. 323.
Brummett John, inquisition on 350. 355. 361.
Bird Oliver W. Dup^r petition 350.
Baxter John, Report of committee 358.
Barnes Robert petition 361. Report of com^ee 430.
Brown Langley " 365.

C.

City Council, members sworn 1.
rules & orders 5.
Clerk chosen & sworn 2.
Theatre, petition 29.
Debt on reduction of 166. 31. Report of committee 423.
Marshal, com^ee on amend^y ordinance in relation to 35
Report of committee 110
Communication 106. 135.

City Solicitor, his duty &c. 110. 112. chosen 170
communications 188. 201. 94. 106. 168. 208.
opinion 279.
concerning a fine 315. City wharf & flats 330.
Marshal appointed 156.
ordinance respecting 179.
Guards petition 272. Report of com.ee 337.
Armory 349.
Common Council, President & Clerk chosen 1.
members sworn 1. 3. 11. 151. 254.
resigned 62. 221. 134.
Malls, Fort & Copps hills committee 13. 376.
Spirituous liquors, not to be sold on 132.
erecting of tents on 152. 153.
Whales, fence 283.
committee on land bottom of, 104.
Street, 163. 191. 192. 194. 195. 196. 228. 229. 259.
Court " 28. 143. 207.
Canal " 43. 116.
Chatham " 32. 265.
Cooper " 55. 229.
Charles " 69. 104. 185. 272. 305.
Cross " 107. 120. 143. 228.
Causeway " 129.
Charlestown " 129.
Cambridge " 143. 182. 183. 201. 206. 213. 222. 227.
Charter " 143. 270.
Chamber " 158. 165. 186.

Clinton St. 72

Castle street 303.

Commercial " 383.

Charles " on land west of. Report of Committee 404.

Court " avenue 86.

room not to be used for public meetings of Citizens 92.

house Leverett street, com^ee on altering 115.

eaves overhang Rowe's estate 200.

Convention of City Council 2.

Clark John petition 11. Report of committee 65.

Wm St. " 44. " " " 87

order respecting 104.

Coolidge Corn^s " 302. 15. 185. Report of committee 312. 27.

Pon d Head " Report of committee 117

County lands, com^ee on sale of 23.

accounts, com^ee on 28.

house surrendered 87.

lease assigned 94.

leased 263.

Cemeteries & burial grounds com^ee 16.

Churches with bells, keys to be provided for 25.

Chamberlain Ezra, petition 35. Report of com^ee 46.

Croswell Wm^ " 37. " " " 83

Clocks, com^ee on 50. 59.

Conference com^ees of 58. 130. Report of com^ee 59. 137.

Chimney sweepers licensed 75. 78.

Chamberlain Jacob's lease 87.

petition 92.

Cincinnati City 88.

Chapman & Davis's claim 97.
Jon.a" petition 182.
Leary Isaac M.r " 115.
Calvow Wm. licence revoked 138. reconsideration refused 145. 167.
Cows, time assigned for them going upon the Common 145. 156.
Constables to have care of tents 153.
appointed 154. 326. 223. 228. 230. 231. 300.
committee on 223.
Memorial 263.
Crier appointed 156.
Clerks care of 158.
Codman John petition 164.
Camera Obscura licensed 164.
Curtis Nath.l petition 180. Report of com.ee 223.
Chess player licensed 180.
Coal baskets inspector appointed 181.
Cutter Ammi petition 197.
Carriages notice to owners and drivers 207
Cataract engine 216. 219.
Case Wm. H. petition 257.
Chace Noah E. " 258.
Cartridges for Militia; committee on furnishing 269.
Congress, member of chosen 346.
Coverly Edw.d Jr. petition 361. Report of com.ee 430
Committees to report 370.
City wharf Fleets 330.

D.

District committees 2.
Dorion John B. Spendthrift 4.
Davis Joshua, petition 7.
Daniel " 70. Report of com.ee 77.
Danforth Isaac " 15. " " 23.
Dennie Thomas " 24. " " 303.
Dearborn John M. " 25. 110. " " 118. 48.
Benj.a " 272.
Devonshire street 43. 52.
Dorchester " 338.
Derne " 354. 405.
Doane " 386. 411.
Deer Island; breakwater 54. 173. 193. 215. 233. 322. 325. 338. 353. 363. 381. 412.
Dillaway Sam.l 73.
Dame Abr.m & Shires County house 94.
petition 356.
Darracott Geo. " 134.
Dorr Nath.l " 186.
Joseph F. " 432.
Davenport Rufus " 265. Report of com.ee 271.
Dennison Wm " 266.
Daniels Nath.l " 303.
Deed of land to the City 344.
Dead; departures of violated 357.

E.

Engine houses 3. 83. 87. 92.

No. 5. 26. 229.

" 12. 26. 289.

" 1. 30.

Also one prayed for 35. Report of Com.ee 46

No. 8. 36. 109.

" 2. 37. 57. 58. 188.

" 11. member of injured 44. Report of Com.ee 245. 268.

house Brattle street 122.

Foreman of dismissed 139.

house on Hanover street 153.

No. 11. memorial 254.

" 14. 219. 344.

" 17. petition 354.

Engineers of fire department, Chief & others chosen 9.

Chief, communication 40.

Fire department 139.

Eliot School house 3. 83. 87. 92.

street 151. 315. 378. sewer 326.

W.m H. petition 166. 228. Report of Com.ee 239. 192.

Order respecting 191.

Elections, Municipal, com.ee on 24. Report of com.ee 376.

Expenditures public, rule concerning 21

Essex street 53. 163. 181. 186. 273. 299.

Eaton John, petition 107. 122.

" street 158.

Eastburn John W. City Printer 204.

Ewer James & Co. petition 200. 134. Report of com^ee 139.
200. 211.
deed to City 344.
Eddy Ethel remonstrance against gas work 147. 229.
English High School 214. 300.
Egyptian Antiquities, items in 278.
Evans R. S. petition 345. Report of com^ee 417.
Electors of President & Vice President U. S. chosen 346.

F.

Ford Bement, petition 3. Report of com^ee 21
Flats trespasses on 7.
near Faneuil Hall marked 294. 330.
Fire department, com^ee on 7.
Chief & other Engineers chosen 9.
Engineers communication 108. 216.
com^ee on his salary 351
resigns 365. 368. R^t of com^ee 391.
appropriation 431.
Firemen Ward No. 11. 17.
" 7. 56.
" 6. 75. 365. 126.
" 1. 105. one resigns 432.
" 10. 289.
" 9. 304.
" 12. 365.
Fire, ringing bells in case of 25.
Alms. com^ee on 109.

Fort hill, common & malls, com.ee on 13.
171.
Foxcroft Chas. A. heirs pet.e 33. Report of com.ee 60
Front street 114. 88. 219. 295. 299.
Federal " 313.
Friend " 350.
Francis Ebenezer Jr. petition 50. Report of com.ee 316. 79
L. P. " 265.
Eben.r " 388.
Faneuil Hall market cellars 70.
Clerk chosen 156.
paintings in 290.
market, wharf & flats 330.
Fish box, Winnisemet ferry 73.
Funeral undertakers appointed 76.
Fish, sale of 83. 111. 112.
cullers chosen 155.
Fullerton J. petition 82.
Furness John C. Esq.r " 86.
Franklin school donation rent of 130. 150. Report of com.ee 120
masters petition 216.
fund, com.ee on Treas.r acc.t 269. Rep.t of com.ee 291.
Faxon Nath.l petition 111.
Foster John, dismissed from fire department 139.
Leonard memorial 265. Report of City Solicitor 253
claim ag.st city 254 " Mayor 282
Sarah, petition 262. " Com.ee 373
Fence viewers chosen 155.

Field drivers chosen 156.
French Chas petition 163. 295. Report of com.ee 181
notice 186.
Wm petition 303.
Fifty associates " 179.
Fearing Lincoln " 185. Report of Com.ee 310.
Freeman James " 229.
Benj.a " 351.
Fayette place 232.
Fuel to be provided for Schools &c. 237.
Fever malignant 276.
Fennelly Robert, Alderman Lec.r 293. City Council attend his fun.l 296.

G.

Gaol & H.e of Correction com.ee on 3. 387.
Green Dragon passage 11. 231. 235. 256. 290. 312.
Report of com.ee 65. 285.
order respecting 285.
on widening 133.
widened & named Union Street 297
Sheet 158. 325.
Church, Report of com.e 325.
Gough Garret, petition 39.
Goddard Benj.a " 44. 88. Report of com.ee 379.
Greenough lane 75.
David com.r 151.
Grosvenor Lemuel P. Report of com.ee 78.

Gray Sam.l petition 106. Report of com.ee 119.
John " 231.
Gould Benj.a A.d Com.n 110.
Gas lights, notice of laying Pipes in the streets 130
works, remonstrance against 199. 299.
Goodale John W. license revoked 138.
Guanas licensed 180.
Galvin Geo. J. notice 200.
Granary burying place fence 263. 301.
Gay Seth's claim ag.n City 274. Report of City Solicitor 279
petition 338. " Com.ee 429
Weazies " 349.
Gooch street 288. 300.
Grove " 303.
Griggs David R. petition 289.
Gibbs Sarah, Report of com.ee 302.
Gutterson Wm. " " 305.
Gun house on Fort hill 316. Report 427.

H.

House of Correction 3. 4. 179. Thanksgiving dinner 355.
Industry, Dir. com.n 71. 124. Report of com.ee 204
chosen 136.
com.n concerning the dead 337
offal, agreement respecting 56. 58.
com.ee on 224. Order respecting 237
Hay weighers chosen 10.

Hay scales 154. 157.
Charles street 183. 283.
new to be built 194.
Haven J. Appleton, petition 10.
Hall John victualler notified 13.
Hancock avenue 13
School house 15. 23
Hanover street 26. 71. 79. 153. 159. 164. 165. 189. 231. 257. 273. 278. 285. 316. 373.
Harrard " 71.
Hamilton " 89.
High " 95. 102. 103. 204. 265. 270.
Haverhill " 108. 289. 303. 351. 358.
Hawes " 379. Hawley street 192.
Highways Surveyors chosen 22.
Hill Nath.l petition 26. 257.
Geo. " 350. 366. Report of Com. 387.
Hastings Sam.l " 38. " " " 53
Son.r " 165.
Henry notified 224. Licence revoked 226.
Holland Thomas petition 71.
Higginson Stephen " 82.
Hunting Thomas " 94. Rehearl Com.ee 105
Hichborn Samuel " 107. order respecting 120
Hanna inquisition on 350. declared non compos mentis 352.
Haggar Mehitable " 350. " " " " 352
Herrick Jacob licence revoked 109.
Halifax vessels 135.

Howe John, petition 122.

James " 133. Report of Com.ee 203.

Wm " 217.

Hoops & staves, cullers chosen 155.

Hemp surveyors " 156.

Hogreeves, haywards & field drivers chosen 156.

Hatch Jabez, petition 160. Report of Com.ee 167

Holbrook Geo. " 161.

Daniel " 366. Report of Com.ee 387.

Harrington Jon.a " 161.

Hotel memorial concerning 166. Report of Com.ee 192.

228. 259. 301. 192. 194.

Hatch Oliver, mortgage to be discharged 255

Habeas Corpus issued 264.

Horner Geo. J. petition 270.

Eleazer " 314. Report of Com.ee 352.

Hanners Benj.a " 275. " " " 345

Hackney coaches near theatre 292. " " " 327

Hayward Joshua 2d. Com.rs 339.

Harris Hiram, award of referees 359

Hatstat Wm M. license revoked 370.

I & J.

Independence, celebration of, 190. Com.ee of arrangements 191

Music 194. 204.

Intelligence office licensed 209. 223. 300

Information vs. City 238.

Indians licensed to exhibit 338.
Indexes to records in Register's office 409.
Jury boxes, com^ee on revising 17. List selected & sent dom 98.
Jackson Eben^r notice of building 17. Report of com^ee 35
Ward petition 71. 288. " " 99
Joslin administration of 96. " " 377
Jenks Wm^m petition 182. " " 217
Jenkins Jos. " 201.
Wm^m " 338.
Eliza A. Sarah " 350. Com^ee to settle with 387
Report of com^ee 387
Jones Rob^t K. petition 314.
John L. order respecting 430
Jacobs Lydia, Report of committee 321

K.

Knapp Henry, petition 6.
Josiah remonstrance 126. 186.
Kingsbury Seth petition 40. Report of com^ee 87.
order respecting 104
Kuhn Geo. A. petition 129. Report of com^ee 181
Kings Chapel " to put up barriers in the street 195
Kendall Wm^m B. " 199.
Kittredge & Nyman 289. 303.
Kitchen Street 302. 312
Kilby " 379. 386.

L.

Licenses revoked 8. 54.

renewed 205.

Licensed houses, order respecting 39.

Landing place on Lewis's wharf, Committee on 14

Lobster stands, com.ee on regulating 40. Report of Com.ee 62

Com.ee instructed 111. 112.

Lands public, com.ee on sale of, instructed 44. Rt. of Com.ee 63

sold 70.

to be sold 63.

in State of Maine 370. 374.

Loring Peres, notice of building 61.

Caleb, petition 70.

Joshua " 234. 260.

Lyndes John, license revoked 101.

Latin School fund 110. 150.

Long Rob.t C. petition 130.

Little & Haskell " 138. 142.

Lee & Leighton " 142.

Limbers surveyors appointed 155. 278. 344.

Lime inspectors of, chosen 155.

Lincoln Levi R. petition 170. Report of Com.ee 189

Leases expired, com.ee on 174.

Lane Sam.l 195. 288. Report of com.ee 300

Lewis John, petition 219.

Lamps, Washington street 264.

Lynn street 299. 311.

Lease to City 344.

Light Dragoons, petition 350. Report of Com^ee 362.
Live animals, licensed 365.
Letitborn John H. J. license revoked 368.

M.

Mayor sworn, his address 1.
Messages 17. 121. 295. 353. 368.
votes for examined, no choice 371. 380.
elected 405.
[present] address on retiring from office. 433.
Copy requested for the press. ibi.
Milford Ink^a vs. City, pauper case 4.
Messenger Daniel, petition 5. 357. Report of Com^ee 364.
Market committee 13.
stalls leases 41. Report of Com^ee 117
house, hall over 93. 97. 117.
Cellars 117.
wharf, Com^ee on 277.
Houses, committee on 283.
Malls, Common, & Fort hill 13. 14. Report of Com^ee 376
fence around, 13. 14. Report of Com^ee 376.
spirituous liquors, not to be sold on 152.
Mount Vernon place 15. Report of Com^ee 24.
Municipal elections, Com^ee on 24. 376.
Methodist Episcopal Church, North Bennet street 25. 47
Mind Wm Report of Com^ee 28. 204.
Montgomery place 28.

Mill Creek, Com^ee on covering over 22. Report of Com^ee 68
bridges over 76. 132. 85.
on filling up 96. 133. 295. R^t of com^ee 319.
to be filled up from Ann to Marginal Streets 314. 322.
protest against filling up 339.
Marshal, City, committee on ordinance appointing 35
Melcher Levi 37. 71. 79.
Meeting house, Salem & North Bennet streets, propin petition 34
Morrill James, petition 38. Report of com^ee 52.
Moose licensed 39.
Milk street 47. 55.
Marginal " 298. 385.
Mc Lean " 384.
Mercantile Wharf Corp^n com^ee & vote 48. 76. 145 225. 277. 385.
Report of com^ee 132.
Merrimac street 170. 198. 350.
Middleboro' Inh^s Instr^s to City 75.
Merchants Row, 133. 340. 349.
Munroe Daniel, petition 158 Report of com^ee 416.
Edmund office let to 174. 183.
award of referees 359.
Myers John, petition 164.
Muelzel John " 180.
Moscow conflagration 180.
Microscope licensed 199.
May Sam^l petition 204. 265. 266. 268.
Mummy licensed 224. 234. 268.
Mexico, City of, painting licensed 243. 359. 378.

Morse Sam.l B. Report of committee 243.
Miles & Co. P. Master English High School, petition 300.
Mechanical Panorama licensed 359.
Maine land belonging to the City 370. 374.

New streets 7. compare to Salem 38. 46. 49. 72. 184. 257. Bromfield Winter st 290. 328. 344. 347. 388.
Committee on 329.
England society. tables 69.
Neck lands, committee on 9. 130.
petition concerning 10.
" to purchase 15.
2d Final report 390.
North Bennet street 25. 37. 47. 78. 107. 122.
Allen " 143. 418.
Market " 289.
Nolen Chas. Jr. petition 39.
Night carts, rules respecting 133.
Nichols Cushing 165. Report of com.ee 198.
Nottage Harriet 315.
Nevers Benj.a M. notified 315.
Nelson John. petition 357.

O.

Overseers of Poor, declines serving 7.
Ordinances of City 10.
presented to town Council of Providence 34.
Ostriches licensed 30
Otis Harvey, petition 69. Report of com^ee 118.
Oliver Francis 2^d Report of committee 116. 366.
petition 184.
sheet. 153. 191. 203. 230. 237. 261.
Oil, on supplying City 140.
Agreement accepted 171.
Orator 4^th July 154.
thanks to 210.
Old State house, office in to be leased 158. Let 174. 183.
com^ee on repairs 317. Report of com^ee 326.
Overton Henry, petition 273. 359. " " 378.
Ox goad licensed 289.

P.

Perkins Thomas H. petition 4. 356.
Pearl sheet 4. 200.
Pleasant " 43. 64. 73.
Pinkney " 69. 118. 190. 197.
Purchase " 86. 94.
Pond " 133. 138. 142. 143. 152. 217. 272. 413. 430. 506. 413.
Portland " 144. 197. 330. 361. 430.
Prospect " 161. 173. 201.

Prince Street 299.
Pond " drain 406.
" altered and laid out anew 413.
Palmer J. K. claim for damages 6. Report of com.ee 26.
Public buildings, Committee on 11.
lands, " 22. Report of com.ee 418
Pedlars, petition concerning 12.
Putnam Jesse, petition 16. Report of com.ee 113. 418.
David " 24. 79. 88. 142.
order respecting 150.
Prouty Joel petition 29. 38.
Pitts James " 38. Report of com.ee 52
Paving estimates 46. 55.
Pitts Wm. petition 265.
Providence town Council precincts of, alter 4.
Physicians to give information of small pox 79
Consulting, Comm.e 80. Report of com.ee 145.
Resident " on making him add.l comp.n 85
chosen 170.
Consulting " 170.
opinion 256.
Parker, Chief Justice, comm.n 92.
Isaac petition 152.
Wm. " 302. Report of com.ee referred 361.
Benj.a " 355.
Penalty, money rec.d for 94.
Piper Lol.a 134. 172. 270. Report of com.ee 282.
Pound Keepers chosen 156.

Primary School in Ward No 12... 94. Report of Com.ee 103
Committee Com.ee 99. 202. 316. " " 425
Parkman, Geo. petition 158. " " 181.
Perkins John S. " 161. Common sewer 173.
Panorama licensed 164. 257. 253.
Parkstreet Church 183.
Printer City, Com.ee on. 204. Appointed 213.
Peck lane 234 260. 273.
Printing Machines licensed 257.
Poor debtors, petition concern.g 265. Report of Com.ee 271.
Parsons Wm. " 266.
Peter Commodore, portrait 290.
Paintings in Faneuil Hall 290.
Phillips Jon.a lease to the City 344.
Parks Elisha, petition 359. Report of com.ee 385.
Preston Remember " 388. " " 409.

Q.

Quarantine committee 3. Extended 253
Quorum of board of Aldermen not formed 254
Quincy Josiah, lease to City 344.

R.

Rules and orders of City Council 5.
Reservoirs committee on 7.
" on building 25. " are ordered to be built 124.

Resident Physician, com.ee 8. 16. 30.
Rowes wharf landing place 14. Report of com.ee 374.
Joseph petition 200. " " 258.
Rand Isaac, agreement with 58.
Thomas, to occupy old engine house 92.
Asa petition 219.
Records, ancient, com.ee on preservation of 60.
Renards Alfred 85. 263. 357.
Reed Wm. to occupy old engine house 92.
Roxbury dividing line 101.
Representatives number of, determined 123. 134. chosen 141.
Rainsford Island wharf to be built 123. 329.
Rust Jacob, petition 129. 162.
Rhoades Stephen " 143.
Redman John " 157.
Reynolds Edw.d " 171.
Rogers Jacob A.r " 203.
Leonard " 237. 289.
Stratton " 268.
Rice Jenny, mortgage assigned 215. 220.
David deed to City 344.
Richmond street 225.
Register of deeds, memorial 260. Report of com.ee 409
Rich Benj.a petition 277. 290 383.
Robbins Chandler, Jr. Report of committee 427

S.

Sweetman John, License revoked 8.

Small pox 8. 24. 30. 45. 79. Canary Islands 106
on establishing Hospital &c 30.

Streets alterations in, Com^ee on 13.

new 7. 38. 46. 49. 52.

widening of 55.

Superintendent chosen 80. Report 151.

not accepted 100.

watering of 110.

paving & repairs of 151.

South Boston 258.

near Post office 269.

from S. Boston turnpike to New Bridge 328.

Com^e to carry report of Com^ee into effect 329.

Sullivan John, petition 22. 159. 173.

School petition for a new 24. 303.

committee memorial 182.

annual visitation, committee of arrangements 361.

houses alteration in 205.

Steel " 194. 195.

Short " 158. 195. 209. 224.

Spring " 29. 38. 226. 235.

South Allen " 34. 288. 314. 323. 359.

Salem " 37. 55.

South Market " 38. 49.

" Margin " 50. 79.

Somerset " 43. 70. 77.

State " 43. 52.

Second street 48. 49. 79. 88. 132. 150. 366. 387. 142.
Sumner " 82. 302. Sumner St. 95. 102. 192.
Sea " 137. 160. 167. 172. 270. 282. 366. 380.
Spring " accepted 142.
Stanford " 199. 206.
South " 266.
Sudbury " 303. 310. 361. 430.
Shurr Josiah, petition 28.
Sea monster licensed 30.
Sargent L. M. petition 34.
Solar microscope licensed 39.
Smith Barney, petition 43. Report of com^ee 52.
" Jos. B. " 59. " " " 74
" Amasa G. " " 294
" Ebon. protest ag^t the City's filling up the Mill pond 339.
Seaver Ebon. agreement 58.
Sheldon Nicholas petition 76.
Stowe Bellamy 88.
Scott Isaac, petition 101. Report of com^ee 129.
Stalls in Market, report of com^ee on leasing 117.
Shaffer John H. petition 121. 163. Report of com^ee 145
Shepherd John Francis, Spendthrift 124. 204.
" K. D. petition 184. Report of com^ee 345.
South Boston Bridge 126.
" Appropriation deed to the City 344.
Sharkey John, petition 138.
Salaries City & County officers established 142
Shaw Elijah, report of com^ee 151.

Spiritous liquors, not to be sold on the Common & Walks 152
Spence John, road 159.
Stewart Alex^r petition 163 Report of Com^ee 196
South burial ground 171.
Congregational So. petition 179. Report of Com^ee 195
Southwick Taylor L. " 180. 257.
Seals & Guanas licensed 180.
Shaw Rob^t G. letter & agreement 188. 228.
petition 218. Report of Com^ee 367.
Swallow Asa, Report of com^ee 189.
Shillaber Sarah, petition 190.
Secretary at War's communication 193.
Stevens Amos, & Jeremiah hay scales 197.
Isaac, report of com^ee 232.
Shattuck Geo. C. petition 199. Drain 206.
Sawtell Mary, " 225. Report of Com^ee 324
Sigourney Daniel A. " 226. " " 232
Simmons John " 234. 260.
Valentine " 349.
Signs projecting into streets 292. Report of Com^ee 327.
Stimpson Cha^s Jr. petition 293. " " 321.
Seamans meeting, com^ee on 356.

T.

Trinity Church, Wardens & vestry, Pet^n of 192. Report of com^ee 314
Theatres licensed 14.
City, propos petition 29.

Taxes, com.ee on altering mode of apeping 16. Report of com.ee 113. 418.
abatement of, list of 74. 357. " " " 119
annual, laid 123.
on repealing the 1st. section of ordinance respecting 136.
Tileston & Brown " petition 38. Report of com.ee 46.
Taylor Daniel " 39. 70. " " " 117
Cha.s Com.a 143. " " " 418
Tomb for children 56. 171.
" in North burying ground 62. Report of Com.ee 73.
Temple street 64. 296. 358.
Thacher " 219.
Turnpike " com.ee on 284. 308. 328.
Third " 338.
Tue Peter, license revoked 72.
Tallman Peleg, petition 86. to open drain 94.
Trees injured; reward offered 87.
Townsend Alex.r petition 93.
Treasurer to borrow money 99. 125. 345.
acc.t com.ee on 136. Report of com.ee 146.
City, on electing 182. 184. Chosen 187.
Tents on Common & Mall 152.
Thayer Rich.d lease renewed 158. Report of com.ee 195.
Thomas Benj.a petition 183. " " " 341.
Trott Geo. " 264.
Trull Ezra's demand 270. Report of com.ee 300.
John W. petition 323. " " " 337.
Tolley Wm. Penathrift 274.
Tucker Wm. petition 313. Report of com.ee 323.

Thompson Nancy. Report of committee 385

U & V.

Union shed 11. 164. 165. 231. 255. 258. 285. 295. 298. 309.
312. 350. 366. 367. 387.
Ure And.w petition 179. Report of com.ee 196.
Vernon street 127
Vaccination, order respecting 29.
Varioloid case reported 42.
Vine shed 71. 99. 158.
Voters list of 90. 292. 322.
Ward No. 9. 104. Report of com.ee 349
Notice to 352.
Votes for Gov.r Lt. Gov.r Senators 102.
Electors of President & Vice President U. S. 346
Member of Congress 346.
Voting lists, report of committee concerning 309
Vanbrugh Licensed 161.
Vital Davis petition 201.
Vogell Fred.k & Geo. 264.

W.

Woodmeasurers 6. 10. 17. 255.
Williams John D. petition 7. 109. Mortgage discharged 28.
Henry " 31.
Wm Shendthrift 265.
Rob.t petition 345. Report of Com.e 358

Ward No. 1 petition 5.
" 10. 5. 357. 364.
" 5. 7. 211. 303.
" 6. 91.
" 12. 94.
" 9 list of voters 104. Report of com^ee 392.
" " room for meeting 205. " " 377.
Meetings Ward for 62. 88. 135. 327. 359. 372. 380. 221.
S. D. petition 270.
Walsh Wm. license revoked. 8.
Woodford James. petition 30.
Watchmen appointed 34. 228.
Captain of appointed 41.
petition for beds 345. Report of Com^ee 417.
Communication concerning one of them 168.
Washington Street 38. 114. 53. 76. 88. 89. 93. 101. 115. 121. 144.
151. 157. 193. 198. 200. 209. 211. 218. 221. 225.
231. 264. 299. 310. 324. 325. 362. 373. 379. 385.
Gardens, fire works at 163.
Picture in Faneuil Hall 230.
Avenue 302. 361.
Light Infantry, Petⁿ 354. Report of com^ee 360
Willard Aaron, Jun^r. petition 50.
Wood Tim^o N. " 50. Report of com^ee 62.
Weighing petition respecting 59.
Wentworth Philip, report of City Solicitor 75
Wm notice 133. Report of com^ee 143
petition 252.

Webster Daniel 98. Report of com.ee 102.
Webb Rufus donation 100. 150. 339. " " 120. 160.
Weld Benj.a Report of com.ee 144.
Warren street 151.
Well " well & pump 209. 361. Report of com.ee 430.
Winter " 264. 266.
Weights & measures, Sealers chosen 156.
Writ of right vs. City 168.
Wheelwright Sam.l petition 205. Report of com.ee 377.
West Boston bridge 213. " " 224
Warren " 255. 323 " " 334
Welles Alfred, petition 257. " " 263
Weston Ink.a vs. City 258.
Wheeler Benj.a petition 299. Report of com.ee 310
Harriet 314.
Wharf and flats near Faneuil Hall Market 330
Wright Wm. petition 356.
Wallach Moses " 388.

Y.

Yeas & Nays 334.